

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36847-2024
Date of Decision:06.08.2024

Manpreet Choudhary @ Bheema ...Petitioner

vs.

State of Punjab ...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr. Imaan Singh Khara, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of B.N.S.S with a prayer to grant regular bail to him in case FIR No. 260 dated 26.11.2023, registered under Section 21,23,25,29 of NDPS Act and Sections 21-C,27-A of NDPS Act added later on, Police Station Chheharata, District Amritsar (Annexure P-1).
2. Custody certificate of the petitioner has been filed today in Court and the same is taken on record.
3. Learned counsel for the petitioner contends that the petitioner was neither present at the time of recovery of contraband from the co-accused namely Mahinderpal Singh @ Prince and Saurav Sharma. He further contends that the petitioner has been arrayed as an accused in the present case on the basis of the disclosure statement suffered by his co-accused namely Deepak Partap @ Deep and except the disclosure statement, there is no other evidence against him. He next contends that the petitioner had no connection with the

recovery, which was allegedly made from the co-accused and in the present case, no recovery of any contraband had taken place from the present petitioner. Learned counsel further contends that Ankush Shukla @ Anshu has already been granted the concession of bail by this Court, vide order dated 25.07.2024 (Annexure P-3) and the case of the petitioner is on better footing. He further contends that even though four more cases have been registered against the petitioner, however, he is on bail in all the cases.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

5. I have heard the learned counsel for the parties and perused the record carefully.

6. The petitioner was arrested in the present case on 03.02.2024 and is in custody for the last about 06 months. Even no recovery was effected from the petitioner in the present case. Further, similarly placed co-accused namely Charanjit Singh @ Channi and Ankush Shukla @ Anshu have already been ordered to be released on bail by this Court.

7. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

06.08.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No