

S. No.224

2024:PHHC:008719

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-40834 of 2023

Date of Decision:23.01.2024

Udham Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. S.S. Maini, Advocate for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner has prayed for grant of regular bail in case FIR No.20 dated 19.01.2023 registered under Sections 22 and 29 of Narcotic Drugs and Psychotropic Substances Act, at Police Station Baghapurana, District Moga.

As per the prosecution allegations, 800 tablets of Alpramed-0.5 containing the salt of Alprazolam weighing 111.2 grams; and 200 tablets of Etezola, containing the sale of etizolam with weight of 41.2 grams were recovered from the possession of co-accused Lovepreet Singh @ Labha, who in his disclosure statement nominated the petitioner to be the supplier.

Learned counsel for the petitioner contends that the petitioner has been nominated on the basis of disclosure statement of the co-accused, which is not admissible; that no recovery was effected from the petitioner; that petitioner is in custody for the last one year; and that the trial may take long time to conclude, so he be allowed bail.

Though the status report has not been filed but learned State Counsel concedes the fact that no recovery has been effected from the petitioner and that

he has been nominated only on the basis of disclosure statement of co-accused. Learned State Counsel also informs that out of 09 witnesses cited by the prosecution, 02 have been examined and thus, the trial is likely to take long time to conclude.

Custody certificate placed on record also reveals that petitioner is in custody for the last 01 year 04 days and there is one more case under NDPS Act.

Having regard to role of the petitioner in the present case and the circumstances dismissed above, but without commenting anything on the merits of the case, present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned, on usual terms and conditions.

January 23, 2024
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No