



In The High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-41007-2024 (O&M)
Date of Decision:- 30.08.2024

Mangat Ram ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Naveen, Advocate for
Mr. Kamal Narula, Advocate, for the petitioner.

Mr. Inderjeet Singh Ladher, DAG, Punjab.

FIR NO.	DATE	POLICE STATION	OFFENCES
142	23.07.2023	Guruharshai, District Ferozepur	22 of NDPS Act (Section 29 of NDPS Act added later on)

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
2. As per the case of prosecution a secret information was received against one Gourav Kumar @ Gopa to the effect that he habitually sells intoxicant tablets. Pursuant to receipt of said information the police was able to apprehend aforesaid Gourav Kumar @ Gopa and from whose possession 1070 intoxicant tablets of ‘Tramadol



Hydrochloride' were recovered. It is further the case of prosecution that during interrogation he disclosed that he had purchased a total of 1300 tablets from Manav and that while some of the tablets had been consumed by him, some had been supplied by him and that some were supplied to Mangat Ram (petitioner) who further sells the same.

3. Learned counsel for the petitioner submits that he has falsely been implicated in the present case on the basis of a disclosure statement whereas no recovery is attributed or effected from the petitioner at any point of time. It has been submitted that the petitioner as of now has been behind bars since the last more than one year.
4. Opposing the petition, learned State counsel submitted that since the petitioner has been specifically named by co-accused, his complicity is clearly evident. It has been informed that the petitioner happens to be involved in one more case registered for offence under Section 306 IPC. It has been informed that the petitioner as on date has been behind bars since the last 1 year, 1 month and 3 days and that as on date only 2 out of cited 14 PWs have been examined.
5. This Court has considered the rival submissions addressed before this Court.
6. Admittedly, the petitioner is neither named in the FIR nor any recovery was effected from him and has been nominated on the basis of disclosure statement the veracity of which would be debatable. The petitioner has been behind bars since the last more than 1 year. Conclusion of trial is likely to consume time. Under these



circumstances further detention of petitioner would not be justified. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

30.08.2024
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No