

S. No.216

2024:PHHC:062933

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

CRM-M-53558 of 2023

Date of Decision:07.05.2024

Paramjeet Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Manan Bhardwaj, Legal Aid Counsel for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in case FIR No.123 dated 18.05.2022 registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') at Police Station City Budhlada, District Mansa (Punjab).

As per prosecution allegations, on 18.05.2022, the Police Party apprehended the petitioner – Paramjeet Singh along with co-accused Kulwinder Sharma. From their conscious possession, 40 vials of Onerex of 100 ml each; and 400 tablets of Carisoma were recovered. The same were taken into possession. On analysis from the FSL, the Codeine Phosphate and Chlorpheniramine Maleate were found in the vials containing Onerex; whereas Carisoprodol was found in the tablets of Carisoma.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case; that he has no other criminal case pending against him; that he is in custody for the last more than 01 year and 10 months

and that the petitioner is a poor person and had to approach the Legal Services Authority for filing this petition.

It is conceded by learned State Counsel that as far as Carisoprodol is concerned, it is not within the purview of the NDPS Act.

Learned State Counsel has also drawn attention towards the FSL report, as per which, 9.93 mg per 5 ml, has been found in the sample vials of Onerex and the total weight of the substance has been found to be 79.44 grams.

Learned State Counsel has also drawn attention towards the status report, in which it has been conceded that the recovered quantity falls in the non-commercial category.

As per the custody certificate placed on record today, petitioner is in custody for the last 01 year 10 months and 03 days with no other criminal case pending against him.

Having regard to all the afore-said facts and circumstances of the case, but without commenting anything further on the merits of the case, the 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, on usual terms and conditions.

May 07, 2024
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(DEEPAK GUPTA)
JUDGE

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