

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

**Neutral Citation No. 2024:PHHC:010433
CRM-M-54294-2023
Date of Decision: January 25, 2024**

Aman @ Babbu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. J.S. Thakur, Advocate for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

Status report by way of affidavit of Shri Jaspreet Singh, Assistant Commissioner of Police West, Jalandhar, along with custody certificate has been filed on behalf of respondent-State.

2. By way of this petition filed under Section 439 Cr.P.C., petitioner prays for his release on regular bail in a case arising out of FIR No.145 dated 13.09.2022, under Sections 21 and 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 29 of the NDPS Act added later on), registered at Police Station City Bhargo Camp, District Jalandhar Commissionerate.

3. As per allegations, 260 grams of intoxicating powder containing the salt of tramadol hydrochloride; and 15 grams of heroin was recovered from the possession of co-accused Harpal Singh on 13.09.2022, who in his disclosure statement nominated the petitioner Aman @ Babbu to the supplier.

4. Learned counsel for the petitioner contends that petitioner has been falsely implicated; that no recovery was effected from him; that he is in custody for the last more than 06 months and that the trial may take time to conclude.

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5. Though, learned State counsel opposed the bail petition, but conceded the fact that the case against the petitioner is based upon the disclosure statement of co-accused; and that no recovery had been effected from him.

6. On instructions from ASI Jagbir Singh, it is informed by learned State counsel that out of 09 witnesses cited by the prosecution, only 01 has been examined so far. Custody certificate placed on record, reveals that the petitioner is in custody for the last 06 month and 08 days, though he is involved in other cases also.

7. Having regard to the aforesaid facts and circumstances, particularly the role attributed to the petitioner, but without commenting anything on the merits of the case, he is admitted to bail. He is ordered to be released on bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

Allowed.

January 25, 2024

sarita

(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No