



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

CRM-M-59798-2023

Date of decision: 24.05.2024

Sanyam Aneja @ Honey

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. J.S. Sandhu, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.116 dated 08.08.2023 under Sections 21(c), 25, 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') registered at Police Station City Nathana, District Bathinda.

2. Learned counsel for the petitioner submits that the petitioner has clean antecedents as he is not involved in any other case under the NDPS Act; the petitioner was arrested on 08.08.2023 after the disclosure statement allegedly made by co-accused Gurjinder Singh and Mandeep Singh, who stated that they had transported the recovered contraband i.e. 04 kgs of heroin firstly in the car of the petitioner and thereafter shifted it to their own Creta car. Learned counsel submits that after the petitioner was arrested, no recovery of any contraband was effected. It has also been submitted that other than this disclosure



CRM-M-59798-2023

-2-

statement linking the petitioner with the alleged drug trafficking, no other role has been attributed to the petitioner in the crime in question. Learned counsel has submitted that after the challan was presented on 09.01.2024, charges had also been framed on 15.03.2024, however, none of the 20 prosecution witnesses had been examined till date, hence, there was no likelihood of the trial concluding in the near future.

3. Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions from HC Ram Singh, has not disputed that the petitioner came to be nominated pursuant to a disclosure statement suffered by co-accused Gurjinder Singh and Mandeep Singh from whom the alleged recovery of 04 kgs of heroin was effected. Learned State counsel has also not disputed that the petitioner is not involved in any other case under the NDPS Act. However, he submits that in the disclosure statement not only had the co-accused stated that initially the recovered contraband was transported in the vehicle of the petitioner but it had also been stated that he was one of the suppliers of the alleged contraband.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. The petitioner has been in custody since 08.08.2023 and as not disputed, no recovery of any contraband was effected from him after he was arrested. The possibility of the trial concluding in the near future seems unlikely in view of the fact that the prosecution evidence is due to commence only on 31.05.2024 coupled with the fact that as

many as 20 prosecution witnesses have been cited. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

6. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

7. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

24.05.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No