

S. No.218

2024:PHHC:024926

2024:PHHC:024927

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

Date of Decision:22.02.2024

1. CRM-M-62064 of 2023

Satpal Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

2. CRM-M-64163 of 2023

Ramesh Kumar @ Meshi

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. K.S. Sidhu, Advocate for the petitioner.

Mr. Amandeep Singh, DAG, Punjab.

DEEPAK GUPTA, J. (Oral)

Separate status reports dated 22.02.2024 of Shri Achhru Ram Sharma, PPS, Deputy Superintendent of Police, Sub Division, Jalalabad have been filed on behalf of the respondent- State, along with the custody certificates.

This order shall dispose of two petitions titled above, as in both the petitions, filed under Section 439 Cr.P.C., petitioners pray for grant of regular bail in case FIR No.52 dated 03.05.2023 registered under Section 22 (Act No.61 of 1985) of the Narcotic Drugs and Psychotropic Substances Act (for short, 'the NDPS Act') (Later on added Section 29 of the NDPS Act and Section 201 IPC) at Police Station Sadar Jalalabad, District Fazilka.

Allegations are that 720 intoxicant tablets were recovered from the possession of co-accused Paramjeet Singh alias Pamma on 03.05.2023, who nominated Ramesh Kumar alias Meshi (petitioner in CRM-M-64163 of 2023).

Said Ramesh Kumar alias Meshi, on interrogation further nominated co-accused Gopi Lal alias Gopi Bishnoi alias Gopi, accused Satpal Singh (petitioner in CRM-M-62064 of 2023), Pardeep Kumar alias Pappy, Rajinder Singh alias Kala and Krishan Singh to be the suppliers. On the basis of afore-said disclosure statement, co-accused Rajinder Singh alias Kala was arrested and from his possession, 1,12,000 intoxicant tablets containing the salt of Tramadol Hydrochloride and Alprazolam were recovered.

Learned counsel appearing for both the petitioners contend that the petitioners have been falsely implicated on the basis of disclosure statement; that no recovery was effected from any of them except ₹53,000/- allegedly recovered from Ramesh Kumar Meshi (petitioner in CRM-M-64163 of 2023) and Pardeep Kumar alias Pappy.

Learned counsel also contends that co-accused Gopi Lal alias Gopi Bishnoi alias Gopi has already been allowed bail by this Court vide order dated 19.01.2024 passed in CRM-M-1577 of 2024 , copy of which has been placed on record.

Learned State Counsel has opposed both the petitions by contending that contraband of the commercial category was recovered from possession of the co-accused on the basis of disclosure statements suffered by them. However, it is conceded by learned State Counsel, on instructions from ASI Chander Shekhar, that no contraband was recovered from any of the petitioners.

Apart from above, custody certificates of both the petitioners would reveal that they are in custody for the last 09 months 16 days. None of them is involved in any other criminal case.

Having regard to all the afore-said facts and circumstances, but without commenting anything on the merits of the case, both the petitions are allowed. Petitioners are admitted to bail on their furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned, on usual terms and conditions.

A photocopy of this order be placed on the file of connected case.

February 22, 2024
renu

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No

(DEEPAK GUPTA)
JUDGE