

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-62342-2023

Date of Decision: January 29, 2024

LOVEJIT SINGH @ LOVE

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Manu Sachdeva, Advocate for
Mr. Lovish Rattan, Advocate for the petitioner.

Mr. Shubham Kaushik, A.A.G., Punjab.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Section 439 CrPC, prayer has been made for grant of regular bail in case FIR No. 118 dated 03.07.2023 registered under Sections 21, 29, 61 and 85 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Lopoke, District Amritsar wherein, the petitioner has been implicated on the basis of disclosure statement made by co-accused namely Gurlal Singh from whom the recovery of 265 grams of heroin was made besides, there being alleged recovery of 260 grams of heroin from another co-accused Lovejit Singh as well.
2. The prayer made herein has been opposed at the instance of learned State counsel while referring to the alleged recovery of over 500 grams of heroin from the two co-accused namely Gurlal Singh and Lovejit Singh.

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3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.
4. In the present case, the petitioner has been implicated on the basis of disclosure statement made by co-accused Gurlal Singh and is already behind the bars for a period of almost 7 months by now. Moreover, investigation already stands concluded with the filing of challan followed by framing of charges. Besides it, the petitioner is a young boy of 23 years of age and there is no other case under NDPS Act pending against him. Considering the aforesaid facts and circumstances, this Court does not find justification to extend his incarceration any further.
5. In view of the above, without commenting anything on the merits, lest it may prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

29.01.2024
Tejwinder

(HARKESH MANUJA)
JUDGE

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