

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

232

CRM-M-63377-2023

Date of Decision: 15.01.2024

Navi

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE ALOK JAIN****Present:** Mr. Amarpreet Singh, Advocate for the petitioner.

Mr. Kamalpreet Bawa, AAG, Punjab.

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**ALOK JAIN, J. (Oral)**

1. The present petition is for grant of regular bail to the petitioner in case FIR No.0132 dated 07.10.2023 under Sections 21, 29, 61 and 85 of the NDPS Act, registered at Police Station Tapa Mandi, District Barnala.

2. Learned State counsel has filed the custody certificate, which is taken on record. As per the custody certificate, the petitioner is in custody for the last 03 months and 7 days.

3. Learned counsel for the petitioner submits that the petitioner is in custody for the last 3 months and 7 days and as per the allegations, recovery is also non-commercial. He further submits that petitioner has clean antecedents and he has been falsely implicated in the present case. He further states that the charges have been framed, however, none of the material witnesses have been examined

4. Heard the learned counsel for the parties.

5. In view of the above, without commenting upon the merits and considering the fact that recovery is non-commercial in nature, the present

furnishing heavy bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. He shall, however, be released on the following conditions:

- ◆ The petitioner shall declare his ordinary place of residence and the mobile number used by him.
  - ◆ He will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
  - ◆ He will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
  - ◆ He will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also.
6. The petitioner shall abide by the terms and conditions as imposed in addition to Section 439 of Cr.P.C.
7. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case.
8. It is made clear that, in case, the petitioner is found involved in any such activity once again, the State is at liberty to promptly move an appropriate application for cancellation of bail detailing out the circumstances and violation of the condition(s) of bail.

(ALOK JAIN)  
JUDGE

15.01.2024  
Rajeev (rvs)

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|---------------------------|-----|
| Whether speaking/reasoned | Yes |
| Whether reportable        | No  |