

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

Neutral Citation No. **2024:PHHC:032316**
CRM-M-63548-2023
Date of Decision: March 06, 2024

Lakhan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

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

Mr. Amandeep Singh, DAG, Punjab.

DEEPAK GUPTA, J.(Oral)

By way of present petition under Section 439 Cr.P.C., petitioner prays for his release on regular bail in a case arising out of FIR No.315 dated 11.08.2023, under Section 21 (Act No.61 of 1985) of the Narcotic Drugs and Psychotropic Substances Act (for short the NDPS Act) (Section 29 of the NDPS Act added later on), registered at Police Station Sadar Ferozepur.

2. As per allegations, 1 Kg., 500 grams of heroin was recovered from possession of co-accused Saravjit Singh @ Shabbu on 11.08.2023. In his disclosure statement, said co-accused Saravjit Singh @ Shabbu nominated one Gurjant Singh @ Guri to be the supplier and that Gurjant Singh @ Gauri further suffered disclosure statement and nominated the petitioner to be supplier.

3. Learned counsel for the petitioner contends that petitioner has been falsely implicated on the disclosure statement of co-accused; that no recovery was effected from him; that trial is likely to take long time and so he be allowed bail.

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4. On instructions from ASI Raman Kumar, learned State counsel could not refute the aforesaid contention that no recovery has been effected from the petitioner and that he has been nominated on the basis of disclosure statement of co-accused. It is also informed that charges are yet to be framed.

5. As per custody certificate placed on record by learned State counsel, petitioner is in custody for the last 06 months and 19 days. Custody certificate would reveal that petitioner is involved in 06 other cases also, out of which 02 cases pertain to NDPS Act.

6. Learned counsel for the petitioner has drawn attention towards Annexure P-5, so as to contend that in one of the case bearing FIR No.190 dated 07.11.2021, under Sections 21 and 29 of NDPS Act, registered at Police Station STF Phase 4, SAS Nagar, untraced report has already been submitted.

7. Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case, petitioner 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.

March 06, 2024

sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No