

**Sr. No. 215
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM No. M-2840 of 2016 (O&M)

Date of Decision: 16.03.2016

Sukhchain Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. R.K.Handa, Advocate,
for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

TEJINDER SINGH DHINDSA. J (ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.13 dated 21.07.2015, under Sections 21/25/29/61/85 of Narcotic Drugs and Psychotropic Substances Act, registered at Police Station S.S.O.Cell, Amritsar, District Amritsar.

As per prosecution version, an alleged recovery of 3 kgs. of heroin was effected from Balwinder Singh @ Billo, Nirmal Singh and Rohit Kumar. Such recovery is stated to be effected after secret information had been received as regards one Kuldeep Singh @ Babbu, already lodged in jail indulging in smuggling of heroin at a large scale from across the border in connivance with the companions, namely, Balwinder Singh @ Billo, Nirmal Singh, Rohit Kumar and Naushad Triflay.

Present petitioner was neither apprehended on the spot and as such there is no recovery stated to have been effected from his person.

Petitioner is sought to be implicated on the basis of disclosure statement of other co-accused as also on the basis of certain call records showing him to be in touch telephonically with Balwinder Singh @ Billo and Naushad Triflay.

Naushad Triflay whose name had figured in the secret information has been granted ad interim protection as regards arrest in the light of order dated 14.03.2016, passed by this Court in CRM No.M-5612 of 2016.

Petitioner has been in custody since 21.07.2015.

Learned State counsel would apprise the Court that investigation in the case having been completed, challan stands presented and now the matter is fixed for framing of charges. The trial as such is at the very initial stage and would take time to conclude.

In view of the facts and circumstances noticed here-in-above and without making any observations on merits, the present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Amritsar.

Disposed of.

16.03.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**