

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

1. CRM-M No.38055 of 2016

Sukhdev Ram and another

.....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

2. CRM-M No.38078 of 2016

Amrik Singh

.....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

Dated of Decision : 23.03.2017

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. B.S. Kathuria, Advocate
for the petitioner(s).

Mr. Gurinder Jit Singh, Deputy Advocate General, Punjab
for the respondent-State.

FATEH DEEP SINGH, J. (ORAL)

Since, the above detailed two regular bail applications having arisen out of the same very FIR are taken up together for the sake of brevity.

The allegations against the petitioners, namely, Sukhdev Ram, Manjit Singh @ Money and Amrik Singh in these petitions filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.213 dated 20.12.2013, registered at Police Station Laddowal, District Ludhiana under Sections 15/25/61/85 of the NDPS Act, are that on 20th December 2013, the police apprehended a car bearing registration No.DL-3CU-9590 from which five plastic bags containing poppy husk in all weighing total 160 kilograms was recovered and out of 05 occupants, 04 managed to escape and one

Surjit Singh @ Pappu/non-applicant was apprehended at the spot.

The contentions of learned counsel for the petitioners that petitioners Sukhdev Ram, Manjit Singh @ Money and Amrik Singh are in custody, since 25th April, 2016, 9th May, 2016 and 25th March, 2016, respectively and that there is no semblance to connect them to the commission of offence and that the only offence is made out as per the statement of the co-accused.

Though on behalf of the State the bail applications are sought to be opposed forcibly on the grounds that the quantity being commercial in nature however, appreciating the submissions, it is the own stand of the learned State Counsel that the petitioners were neither identified nor apprehended at the spot and that nothing was recovered from them, the very legality and acceptability of the statement of the co-accused, who is alleged to have identified, is the subject matter of judicial adjudication before the trial Court. The petitioners are in custody since long time and the trial will take a long time to conclude thus, this Court is of the opinion that further detention of the petitioners, namely, Sukhdev Ram, Manjit Singh @ Money and Amrik Singh in the present cases is not warranted. Accordingly, they are ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Ludhiana.

The present petitions stand disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

March 23, 2017
Dpr

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