

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

CRM-M-8247 of 2016

Date of Decision: March 28, 2017

Sukhdev Singh @ Sukha

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Ashish Aggarwal, Advocate
for the petitioner.

Mr. Gurinderjeet Singh, DAG, Punjab.

FATEH DEEP SINGH, J.

The allegations against the petitioner Sukhdev Singh @ Sukha in this second regular bail application under Section 439 Cr.P.C are that on 30.08.2014 the Police on the basis of secret information apprehended Swift car bearing registration No.PB-06-R-4588 and which car was driven by Prabhjit Singh in which Angrez Singh was sitting on the rear seat and that search of the car led to recovery of 10 kg of heroin.

Learned counsel for the petitioner contends that there is no semblance of evidence against the petitioner to connect him with the alleged recovery and that he was neither seen nor apprehended at the spot and that not anything incriminating by way of narcotic substance has been recovered from him even during the course of interrogation and that the only semblance of evidence is statement of his co-accused.

Learned State counsel opposed the grant of bail to the petitioner on the grounds that heavy recovery of contraband having been recovered as well as in view of the seriousness of the allegations no fresh ground to allow the application is made out.

Appreciating the submissions, it is the own stand of the learned State counsel that there is only semblance of evidence against the petitioner is statement of his co-accused and that the legality and acceptability of the same is a debatable issue and keeping in view that the petitioner is in custody since 12.10.2014 and the trial is not likely to be concluded in near future and no useful purpose would be served by keeping the petitioner behind the bars, without adverting anything on the merits of the case, the present petition for grant of regular bail is allowed. Petitioner be admitted to bail to the satisfaction of the trial Court.

(FATEH DEEP SINGH)
JUDGE

March 28, 2017
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No