

Crl. Misc. No. M-16361 of 2018

(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-16361 of 2018

DATE OF DECISION:09.08.2018

Satnam Singh @ Sattu

.....Petitioner

Versus

State of Punjab

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Anil Kumar Spehia, Advocate
for the petitioner.

Mr. Amit Mehta, Senior DAG, Punjab.

DAYA CHAUDHARY, J.

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to petitioner-Satnam Singh @ Sattu in case FIR No. 136 dated 18.5.2017 registered under Section 22 of the NDPS Act at Police Station Nakodar Sadar, District Jalandhar.

Learned counsel for the petitioner contends that earlier the petitioner was released on interim bail as FSL report was not received but subsequently he was taken into custody. The alleged recovery is marginally more than the commercial quantity and all the witnesses are official witnesses. The petitioner is in custody since 12.1.2018 and there is no possibility that he may influence the witnesses or tamper with the evidence.

Learned counsel for the petitioner has also relied upon the orders passed by

this Court in Crl. Misc. No. M-15319 of 2017 on 25.7.2017 in case titled as **Mandeep Singh @ Sonu Vs. State of Punjab**, in Crl. Misc. No. M-35385 of 2017 on 28.9.2017 in case titled as **Sumit Gori Vs. State of Punjab** and in Crl. Misc. No. M-16167 of 2017 on 1.11.2017 in case titled as **Vikramjit Singh @ Vicky Vs. State of Punjab** .

Learned State counsel has also not disputed the custody period as well as the recovery but opposes the submissions made by learned counsel for the petitioner.

Admittedly, the recovery from the petitioner is 60 gms of intoxicating powder (Diphenoxylate Hydrochloride) which is marginally more than the commercial quantity. By considering that the petitioner is in custody for about seven months, orders passed by this Court in **Mandeep Singh's case (supra)**, **Sumit Gori's case (supra)** and **Vikramjit Singh's case (supra)** and also the fact that there is no other case pending against the petitioner and that all the witnesses are official witnesses, the present petition is allowed. Petitioner-Satnam Singh @ Sattu is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of trial Court.

August 09, 2018
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No