

218 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-41067-2019  
Date of decision-23.10.2019

Lovedeep Singh @ Sunny Doda ....Petitioner

Vs.

State of Punjab ...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. B.R.Rana, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab assisted by  
ASI Ram Pal.

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MANOJ BAJAJ, J.

Petitioner-Lovedeep Singh @ Sunny Doda has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.29 dated 27.04.2019 under Section 21 of Narcotic Drugs and Psychotropic Substances Act, 1985 Act (Section 29 NDPS added later on) registered at Police Station Special Task Force, Phase-IV, Mohali, District SAS Nagar.

The FIR was registered on the secret information wherein it was informed that Sukhwinder Kaur @ Lali (mother of petitioner) resident of Kabir Nagar, Nirmal Palace Road, Ludhiana does work of selling heroin. As per the information, she was coming from Nirmal Palace side to the area of Foacal Point, Ludhiana to supply heroin on her activa scooter bearing No.PB-10-GA-8167. Acting upon the same, a naka was set up and accused Sukhwinder Kaur (mother of the petitioner) was apprehended with 440 grams of heroin.

Learned counsel for the petitioner contends that neither the contraband was recovered from the petitioner nor he was present at the spot.

Further, it is pointed out that the petitioner was indicted on the disclosure statement of his mother. He further states that the petitioner was earlier involved in FIR No.161 dated 12.06.2017 under Section 22 Narcotic Drugs and Psychotropic Substances Act, 1985 Act, P.S. Daba and at the time of lodging of the present FIR, the petitioner was already in custody. However, he has been acquitted in the case FIR No.161 vide judgment dated 16.08.2019.

On the other hand, learned State counsel assisted by ASI Ram Pal opposed the bail application on the ground that the contraband recovered falls in commercial quantity. He submits that the petitioner telephonically instructed his mother from jail to deliver the contraband to the customers. However, it is not disputed that petitioner stands acquitted in FIR No.161 dated 12.6.2017.

After hearing learned counsel for the parties, this Court is of the opinion that trial of the case is likely to consume considerable time, therefore, further custody of the petitioner may not be justified. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, SAS Nagar.

The petition is allowed.

**(MANOJ BAJAJ)**  
**JUDGE**

**23.10.2019**

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Whether speaking/reasoned :  
Whether Reportable :

|     |    |
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| Yes | No |
| Yes | No |