

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

209

CRM-M-44468-2019(O&M)

Date of decision : 13.12.2019

SUKHWINDER SINGH @ SUKHA

.....Petitioner

versus

STATE OF PUNAJB

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. J.P.S.Sarao, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab

Ms. Kaavya Jariyal, Advocate
for Mr. Sumeet Goel, Advocate
for the CBI.

ANIL KSHETARPAL, J. (ORAL)

Petitioner prays for grant of regular bail pending trial in a criminal case arising out from FIR No.141, dated 12.08.2019, registered under Section 22 of the NDPS Act, 1985, at Police Station City Samana, District Patiala.

As per the case of the prosecution, petitioner runs a shop under the name of Sukha Chicken Corner and from his conscious possession 1020 intoxicating tablets were recovered. While filing petition for grant of bail, petitioner annexed various documents including a copy of DVD containing CCTV footage.

Keeping in view the aforesaid facts, Senior Superintendent of Police, Patiala, was directed to look into the investigation of the case and file affidavit, vide order dated 16.10.2019 passed in CRM-M-43880-2019 (a connected case).

Pursuant to the aforesaid direction, Senior Superintendent of Police, Patiala, has filed affidavit, admitting serious lapse on the part of the police officials.

It has been brought to the notice of the Court by learned counsel for the State that the concerned police officials including the Station House Officer have been transferred and placed under suspension while ordering initiation of departmental enquiry.

Petitioner is in custody since 12.08.2019. Investigations are complete. As per the information supplied by learned counsel for the State, on instructions from SI Sohan Singh, petitioner has no criminal antecedents.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is in custody since 12.08.2019 and the trial of the case is likely to take long time, the petitioner is directed to be released on regular bail subject to furnishing of adequate surety to the satisfaction of the trial Court/Duty Magistrate.

Accordingly the petition is allowed with the aforesaid directions.

December 13, 2019
nt

(ANIL KSHETARPAL)
JUDGE

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