

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

**CRM-M No. 48903 of 2019
Date of Decision:-22.11.2019**

Sandeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Amardeep Singh, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner-Sandeep Singh has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No. 43 dated 27.6.2019, under Sections 21/29 of NDPS Act, registered at Police Station Khalra, District Tarn Taran, Punjab. The petitioner is in custody since his arrest on 27.6.2019.

As per prosecution version, on 27.6.2019, when police party during patrolling and in search of bad elements was present at Madi Udhoke, Darajke Road, T-point Bheni Massa Curve, they spotted a motor-cycle with three riders. Upon seeing the police party, the driver of the motor-cycle immediately stopped the motor-cycle and tried to turn back.

As a result of which, the motor-cycle got slipped and they fell down. The driver of the motor-cycle quickly managed to escape from the spot. Rest two persons were apprehended by the police. Then one of the apprehended persons tried to take out something from right pocket of his trouser and tried to throw that. He was immediately caught hold by the police alongwith that polythene in his hand. On asking, he disclosed his name as Raman @ Ladu and the second person revealed his name as Sandeep Singh (petitioner). On search of the polythene, which accused Raman was carrying in his hand, 300 grams of heroin was recovered.

Learned counsel for the petitioner contends that petitioner has been falsely implicated in this case. Nothing has been recovered from him. The recovery of alleged 300 grams heroin was effected from co-accused Raman @ Ladu. He submits that the trial is yet to start and it will take sufficient time to conclude. He prays that the petitioner be released on regular bail pending trial. It is also pointed that the petitioner is not involved in any other case.

On the other hand, learned State counsel, who is assisted by SI Jaswinder Singh, opposed the prayer on the ground that commercial quantity of contraband is recovered in this case. However, he does not dispute that the recovery of alleged contraband was effected from co-accused Raman @ Ladu.

After hearing learned counsel for the parties, this Court finds that the trial of the case is likely to consume considerable time and keeping in view the custodial period of the petitioner, his further custody may not be

justified. Therefore, 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, Tarn Taran.

The petition is allowed.

November 22, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No