

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

219

**CRM-M No.5231 of 2020
Date of decision:11.2.2020**

SARABJIT SINGH @ SABI

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr.R.S.Ghuman, Advocate
for the petitioner.

Mr.J.S.Ghumman, DAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

This petition has been filed under Section 439 Cr.P.C.
for grant of regular bail in case bearing FIR No.137 dated
9.12.2018 registered under Section 15 of the NDPS Act at
Police Station Sadar Banga District S.B.S.Nagar.

Petitioner has been nominated on the basis of
disclosure statement of Baljinder Singh @ Sodhi, who has been
granted regular bail vide order dated 5.12.2019 passed by this
Court in CRM-M No. 7402 of 2019.

Allegations are that 60 kgs of poppy husk was

recovered from co-accused Baljinder Singh @ Sodhi.

Learned counsel for the petitioner, by relying upon **Shinda vs State of Punjab, 2013(3) RCR (Criminal) 557** and **Lakhwinder Singh @ Bittu vs State of Punjab, 2012(22) RCR (Criminal) 301**, contends that the alleged recovery is marginally more than the quantity prescribed for non commercial quantity and the petitioner can be released on regular bail as he was nominated only on the disclosure statement of co-accused Baljinder Singh @ Sodhi, who has already been granted regular bail by this Court on 5.12.2019.

Learned State counsel, on instructions from ASI Sukhdev Singh, submits that the challan against the petitioner is ready to be submitted before the trial Court and the petitioner is involved in other cases of NDPS as well.

Learned counsel for the petitioner, by referring to the details of cases as given in para No.11 of the petition, submits that the petitioner is on bail in other cases.

At this stage, without embarking upon merits of the case, it would be just and appropriate to grant regular bail to the petitioner, who is in custody since 6.1.2020.

In view of above, this petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial

Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

February 11, 2020

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Whether reasoned/speaking

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No