

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

**CRM-M No.8026 of 2020**

**Date of Decision : 28.02.2020**

Lakhwinder Singh alias Lakha

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present : Mr. Bikramjeet S. Jatana, Advocate  
for the Petitioner.

Mr. Avtar S. Sandhu, Addl. Advocate General, Punjab  
assisted by H.C. Jarnail Singh  
for the Respondent/State.

**SUDIP AHLUWALIA, J. (ORAL)**

The instant Petition has been filed under Section 439 of the Code of Criminal Procedure seeking Regular Bail in case FIR No.0036, dated 22.06.2019, registered under Sections 22, 25, 60 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') at Police Station Joga, District Mansa.

2. Ld. Counsel for the Petitioner relies on a decision of a Co-ordinate Bench of this Court in '**CRM-M No.4584 of 2020 - Binder Kaur alias Goga vs. State of Punjab**', to contend that it is unbelievable that a person engaged in the business of Drug Smuggling, will carry the contraband in a transparent Bag. The applicant, in the

aforesaid case, in the given circumstances, considering that she was not involved in any other case under the NDPS Act and challan against her had already been submitted, was therefore released on bail by the Bench after she had remained in detention for 02 months and 27 days.

3. The detention undergone by the present Petitioner is much more being 08 months, and he is also not stated to be involved in any other case under the NDPS Act.

4. Challan against the Petitioner has already been submitted and the trial is still pending.

5. As such, considering the long detention already undergone by the present Petitioner and without commenting on other merits of the case, he is ordered to be released on bail to the satisfaction of the Ld. Trial Court concerned.

6. Disposed off.

**February 28, 2020**

**Dpr**

**(SUDIP AHLUWALIA)  
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No