

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

CRM-M-23507-2019 (O&M)

Date of decision: - 26.02.2020

Sukhdev Singh @ Sukhi

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Aditya Sanghi, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Petitioner has filed this second petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 194 dated 19.07.2018 registered under Sections 22-(C) and 21(C) of Narcotic Drugs and Psychotropic Substances Act No. 61,1985 at Police Station Sadar Dabwali, District Sirsa.

The case of the petitioner is that the FIR in question was registered on a secret information regarding involvement of the petitioner and Bhudar Singh. Acting on the tip off an information, the vehicles were checked. Meanwhile, a Honda Civic car bearing registration No. DL-3CBA-0602 arrived, which was driven by Bhudar Singh and the occupant was petitioner-Sukhdev Singh. On suspicion and acting upon tip off, the car was searched and 3600 tablets of Alprazolam and 220 bottles of Rexcof cough syrup were recovered.

Learned counsel for the petitioner states that the alleged contraband has been recovered from the rear seat of the car, whereas the petitioner was sitting adjoining to the driver seat of the Car and is also not the owner of the said car. The petitioner has been in custody since 22.07.2018

On the instructions from ASI Shyam Lal, learned State counsel has not disputed the fact regarding the custody period of the petitioner. He states that out of 17 prosecution witnesses, only one witness has been examined. He further states that the petitioner is involved in other 4 cases, out of which in 3 cases he has been acquitted and in one case he is on bail.

I have heard the learned counsel for the parties. The petitioner has been in custody since 22.07.2018, out of 17 prosecution witnesses, only one witness has been examined, the trial will take time to conclude and no useful purpose would be served by detaining the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

26.02.2020
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No