

CRM-M-46507-2019

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

CRM-M-46507-2019
Date of Decision: 07.01.2020

Sukhdev Singh @ Sukha

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Anantdeep Singh Sandhu, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

HARNARESH SINGH GILL, J.(Oral)

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.97 dated 27.09.2017, registered at Police Station Mehna, District Moga, under Sections 15, 25 and 29 (added later on) of the NDPS Act, 1985.

Learned counsel for the petitioner contends that nothing had been recovered from the present petitioner, rather recovery had been effected from co-accused, Rajwinder Singh. Moreover, co-accused, Ajaib Singh and Jand Singh, who were also facing similar allegations, have already been granted anticipatory and regular bail by a Coordinate Bench of this Court vide orders dated 26.03.2019 passed in CRM-M-7571-2018 and dated 08.05.2019 passed in CRM-M-5779-2019, respectively. The

CRM-M-46507-2019

petitioner has been in custody since 06.04.2019.

On the other hand, learned State counsel after seeking instructions from Head Constable Sandeep Kumar, opposes the prayer made in the present petition. However, he has affirmed the period of detention of the petitioner and the factum of grant of anticipatory and regular bail to co-accused, Ajaib Singh and Jand Singh, respectively.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 06.04.2019. Co-accused, Ajaib Singh and Jand Singh, have already been granted anticipatory and regular bail, respectively, as stated above. The trial of the case would take some more time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars any more.

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

07.01.2020

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

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