

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

**CRM-M-3689-2021
Date of Decision : 06.04.2021**

Sukhdev Singh @ Makhan

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Deepak Gupta, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This is a petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No. 58 dated 07.07.2020 under Section 22 of the NDPS Act, 1985 registered at Police Station Mehna, District Moga, Punjab.

Learned counsel for the petitioner submits that the petitioner is an old man aged about 73 years and has no history of involvement in any other case.

Learned counsel for the petitioner further submits that as per allegations in the FIR, registered on a secret information, it was stated that the petitioner sells intoxicant tablets in the area of Police Station Mehana. On this, the petitioner was apprehended and 2000 intoxicant tablets were recovered from him.

Learned counsel for the petitioner further submits that it will be a matter of trial whether proper procedure was followed or not and petitioner is in judicial custody for the last about 08 months and 23 days; *challan* stands presented and conclusion of trial will take a long time.

Learned counsel for the petitioner further submits that the petitioner is an old man aged about 73 years and is suffering from age related medical problems.

Learned State counsel has filed custody certificate in Court today and as per the same petitioner is not involved in any other case and is in judicial custody for the last about 08 months and 23 days.

I have heard learned counsel for the parties.

Without commenting on the merits of the case and considering the old age of the petitioner as well as the fact that he is not involved in any other case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

06.04.2021

Waseem/Chetan

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No