

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-28145-2021 (O&M)  
Date of decision: 28.01.2022

**Sukhjinder Singh**

**... Petitioner**

**Vs.**

**State of Punjab**

**... Respondent**

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present: Mr. Manoj Kumar, Advocate  
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

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**ARVIND SINGH SANGWAN, J. (ORAL)**

Prayer in this petition is for grant of regular bail in FIR No.137 dated 01.11.2020 under Sections 22/29/61/85 of NDPS Act and Section 25/54/59 of Arms Act, registered at Police Station Bhadson, District Patiala.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of SI Lakhvir Singh, while on patrol duty in connection with checking of vehicles passing through the road, a motorcycle was seen coming and it was signalled to stop. The driver disclosed his name as Gurtej Singh and pillion rider disclosed his name as Sukhjinder Singh (petitioner). They were asked to show documents of the motorcycle and in that process, a black coloured bag, attached with left side of the motorcycle, had

fallen, which was containing Tramadol Hydrochloride tablets. Thereafter, an information was sent to the police station for further action.

Learned counsel has further submitted that after effecting the recovery, information was sent to the police station, therefore, it will be a matter of trial whether Sections 42 & 50 of NDPS Act were complied with or not. It is also submitted that the petitioner is in custody for the last 01 year, 02 months and 22 days and is not involved in any other case.

Learned State counsel has filed the custody certificate dated 28.01.2022 in the Court today and has submitted that total recovery from the petitioner and other accused is 5000 intoxicant tablets, however, it is not disputed that as per custody certificate, the petitioner is not involved in any other case. It is further submitted that out of total 15 prosecution witnesses, 06 PWs have already been examined.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the aforesaid submissions and the fact that the petitioner is in long custody and it will take some time in conclusion of the trial, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

**[ ARVIND SINGH SANGWAN ]**  
**JUDGE**

28.01.2022

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No