

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

CRM-M-46462-2022

DECIDED ON: 21st NOVEMBER, 2022

SUKHWINDER SINGH @ RAJA

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Hem Raj Kapil, Advocate
for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.08, dated 24.02.2021 under Sections 22 and 29 of Narcotic Drug and Psychotropic Substances, Act 1985 (for short 'Act'), registered at Police Station Thuliwal, District Barnala.

Brief facts of the case are that the FIR was registered at the instance of SI Satpal Singh, with the allegations that while on patrol duty, he got a secret information that Raj Kumar @ Budhu and Sukhwinder Singh @ Raja, the present petitioner, are indulged in bringing intoxicant tablets from one Harpreet Singh. On the basis of said information, a ruqa was sent to the Police Station and the Deputy Superintendent of Police was called at the spot. Later on, both accused, i.e., Sukhwinder Singh @ Raja and Raj Kumar @ Budhu were arrested and 900 loose intoxicant tablets were recovered. During the investigation, both the accused further made a disclosure statement and another recovery of 950 loose intoxicant tablets were effected.

It has also come in the investigation that both accused i.e. Sukhwinder Singh

@ Raja and Raj Kumar @ Budhu used to purchase the narcotics from Harpreet Singh.

Learned counsel for the petitioner submits that petitioner has been roped in on a secret information alleging that he is indulging in bringing intoxicant tablets. The assertion is that there is non-compliance of Section 50 of the Act and the petitioner is in custody for the last about 01 year and 09 months, as of now.

Learned State counsel has vehemently, opposed the prayer for bail on the ground that 900 loose intoxicant tablets were recovered from the possession of the petitioner. It is asserted that even subsequently, on the basis of his disclosure statement, further recovery of 950 intoxicant tablets was effected. He could not controvert the aspect of custody period.

Having heard learned counsel for the parties.

Considering the facts that the petitioner is in custody for the last about 01 year, 09 months; the other co-accused namely Raj Kumar @ Budhu has been granted the concession of regular bail by this Court vide order dated 19.09.2022 passed in CRM-M-42103-2022; conclusion of trial will take sufficient long time; the petitioner deserves the concession of regular bail.

In view of the above, the petitioner is directed to be released on regular bail subject to his furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Ordered accordingly.

(SANDEEP MOUDGIL)
JUDGE

21st NOVEMBER, 2022
sham

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