

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.1074 of 2022 (O&M)

Date of Decision.18.02.2022

Sukhchain Singh @ Sarpanch @ Mithu

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Gurinder Singh Goraya, Advocate
for the petitioner.

Mr. A.S. Gill, Sr. DAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed under Section 439 Cr.P.C.
for grant of regular bail to the petitioner in FIR No.2 dated 27.03.2016
registered under Sections 21, 29 of the NDPS Act at Police Station SSOC,
Amritsar.

Learned counsel appearing for the petitioner while praying for
grant of regular bail to the petitioner would contend that the petitioner has
been nominated as an accused on the disclosure statement of one Athar
Sayeed, who was apprehended with 500 gms of heroin along with currency
of Rs.17 lakhs and the said Athar Sayeed has been allowed regular bail by
this Court in CRM-M No.10621 of 2018 dated 20.03.2018. He would
further contend that the petitioner has been in custody since 30.05.2016 and
the trial is not progressing in the instant case, therefore, prays for
concession of regular bail to the petitioner.

Learned counsel appearing on behalf of the respondent-State
opposes grant of bail to the petitioner by contending that the petitioner

herein though nominated as an accused on the basis of disclosure statement made by Athar Sayeed, is a habitual offender in dealing with contraband and heroin. In fact, he is in custody in Jammu on account of being apprehended with possession of huge quantity of heroin and therefore, is not entitled to be released on regular bail.

I have heard learned counsel for the parties and have perused the paper book and keeping in view the fact that the petitioner has been nominated as an accused on the basis of a disclosure statement of Athar Sayeed, who has been allowed regular bail by this Court and the fact that the trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on his execution of personal bonds of Rs.10 lakhs with two sureties of like amount to the satisfaction of concerned trial court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

February 18, 2022
Pankaj*

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