

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.218

CRM-M-13569-2023 (O&M)

Date of decision : 22.03.2023

Sukhwinder Singh @ Sukha

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. R.K. Kachura, Advocate, for the petitioner.

Mr. G.S. Dhillon, AAG, Punjab

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.91 dated 09.11.2022, registered at Police Station Arif Ke, District Ferozepur, under Sections 21, 25 & 29 (Notification No.61) of NDPS Act, 1985.

Learned counsel for the petitioner submits that non-commercial quantity of heroin was allegedly recovered from the petitioner. Identically situated co-accused have been granted regular bail. The trial is not likely to be concluded at an early date as even charges have not been framed as yet. Thus, the petitioner may be granted regular bail.

Custody certificate dated 22.03.2023 checked by Sh. Gurnam Lal, Jail Superintendent, Central Jail, Ferozepur has been filed in Court. The same is taken on record. A perusal thereof shows that the petitioner has undergone actual custody of 04 months and 10 days and there are two other criminal cases pending against him, in which also, he is on bail.

Learned State counsel concedes that charges have not yet been framed.

It is thus, evident that the trial is not likely to be concluded at an early date. The case is of alleged recovery of non-commercial quantity of contraband and the petitioner has undergone actual custody of 04 months and 10 days. Taking all these factors cumulatively, I deem it appropriate to grant regular bail to the petitioner. The petition is allowed and it is directed that the petitioner be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

22.03.2023
Ramandeep Singh

(SUDHIR MITTAL)
JUDGE

Whether speaking / reasoned	Yes
Whether Reportable	No