

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

**CRM-M-27535-2023**

**Decided on:-02.06.2023**

Sukhmander Singh @ Mander

....Petitioner..

vs.

State of Punjab

....Respondent.

**CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Mr. Parminder Singh-I, Advocate,  
for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

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**HARKESH MANUJA J.**

1. By way of present petition filed under Section 439 CrPC, prayer has been made for grant of bail in case FIR No.41 dated 08.05.2021 registered under Section 15-C of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Cantt. Bathinda, District Bathinda.

2. As per the allegations levelled in the FIR, 175 Kg of Poppy Husk was recovered from a truck, in which, petitioner was working as cleaner.

3. Learned counsel for the petitioner submits that the petitioner has already suffered incarceration for a period of more than two years and the investigation already stands concluded followed by framing of charges, however, out of 14, only two witnesses have been examined so far and the trial is thus likely to take some time. He further submits that petitioner is not involved in any other case and his co-accused, namely, Sukhwant Singh @

Bunty has already been granted the concession of regular bail by this Court vide order dated 12.05.2023 passed in CRM-M-23185-2023.

4. On the other hand, prayer made herein has been vehemently opposed by learned State counsel while referring to heavy recovery of contraband.

5. I have heard learned counsel for the parties and gone through the paper-book. I find substance in the submissions made on behalf of petitioner.

6. Considering the fact that the petitioner has already suffered incarceration for a period of more than two years and the trial is still at the initial stage as only two witnesses have been examined out of total of 14, besides he being the first offender as well as the fact that co-accused, namely, Sukhwant Singh @ Bunty has already been granted the concession of regular bail by this Court vide order dated 12.05.2023 passed in CRM-M-23185-2023, I do not see any justified reason to extend his incarceration any further.

7. Without commenting upon merits of the present petition, the same is allowed. Petitioner is ordered to be released on bail subject to his furnishing of adequate bail bonds/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

02.06.2023

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**(HARKESH MANUJA)**  
**JUDGE**

Whether speaking/reasoned:  
Whether reportable:

Yes/No  
Yes/ No