

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-32804-2022 (O&M)
Date of Decision: 25.01.2023

Sandeep Singh

... Petitioner

V/s.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr. Hitesh Verma, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

DEEPAK MANCHANDA, J.(Oral)

CRM-2745-2023

The instant application has been filed for placing on record the copy of supplementary challan report as Annexure P-7.

For the reasons mentioned therein, the application is allowed.

Document as Annexure P-7 is taken on record subject to all just exceptions.

CRM-M-32804-2022

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 6 dated 14.01.2018 under Sections 20, 25 and 29 of NDPS Act registered at Police Station Mehal Kalan, District Barnala, who is alleged to have possessed contraband of 910 kg of Ganja.

Learned counsel for the petitioner contends that the petitioner is in custody since 26.05.2022. He submits that the petitioner has been falsely implicated in the present case as he has not been named in the FIR rather but was nominated as an accused on the supplementary statement of one Nirmal Singh. The petitioner was also declared as proclaimed offender on 31.08.2018 and thereafter was arrested by the police. He submits that supplementary challan also stands presented on 29.11.2022 (Annexure P-7). He further submits that the recovery is effected from other two co-accused who were apprehended on the spot and similarly situated co-accused Aman Singh and Sarabjit Singh, who were nominated along with the petitioner later on have also been granted concession of bail by the Co-ordinate Bench of this Court vide order passed in CRM-M-54256-2019 dated 14.02.2020 (Sarabjit Singh alias Kala) and CRM-M-29166-2020 dated 13.10.2020 (Aman Singh) and that there is no other case pending against him and the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Custody certificate has been filed by the respondent-State, which is taken on record. Even though learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that the offence alleged against the petitioner is serious in nature, however, does not dispute the fact that the co-accused have been granted bail.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 26.05.2022.

It is not a case made out by the respondent-State that in case

concession of bail is granted to the petitioner, he would hamper the course of free and fair trial. Further, since the co-accused have been granted bail and there is no other case pending against the petitioner and the trial would take sufficient time, no useful purpose would be served in keeping the petitioner behind the bar.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(DEEPAK MANCHANDA)
JUDGE

25.01.2023
seema

Whether speaking/reasoned	Yes
Whether Reportable	Yes /No