

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

224 CRM-M-32546-2023(O&M)
Date of decision: 31.10.2023

Sucha SinghPetitioner

V/s

State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. J.S. Dhaliwal, Advocate, for the petitioner.
Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J. (Oral)

CRM-34543-2023

This application was earlier made for grant of interim bail.

Learned counsel for the petitioner has made a statement to
withdraw the present application.

In view of the statement made by learned counsel for the
petitioner today, the said application is dismissed as withdrawn.

CRM-M-32546-2023

Prayer in the present petition filed under Section 439 Cr.P.C is
for grant of regular bail to the petitioner in case FIR No.18, dated
06.02.2021, registered under Sections 22 and 29 of the NDPS Act 1985, at
Police Station Jhunir, District Mansa.

As per prosecution allegations, 1150 intoxicant tablets
containing Tredol-100 were recovered from the possession of co-accused
Kuldeep Singh and Sabraj Singh, total weighing 1017.94 grams. The

petitioner has been implicated in the present case on the basis of disclosure statement suffered by the co-accused to the effect that they had got the intoxicant tablets from the petitioner.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated only because of the disclosure statement made by the co-accused; that no recovery has been effected from the petitioner; that he is in custody for the last 2 years and the trial may take long time to conclude. So the bail application be allowed.

It is also informed by the learned counsel for the petitioner that co-accused Kuldeep Singh and Sabraj Singh, from whom recovery was effected, have already been granted bail by a coordinate Bench of this Court.

Learned State counsel opposed the bail application on ground of the criminal antecedents of the petitioner as he is involved in various cases, including 4 NDPS cases. However, he does not dispute the fact that no recovery has been effected from the petitioner and that he has been nominated only on the basis of disclosure statement made by co-accused.

It is further revealed that co-accused of the petitioner namely Sabraj Singh and Kuldeep Singh have already been granted the concession of bail by a coordinate Bench of this Court vide order dated 14.03.2023 passed in CRM-M-50020-2022 and order dated 14.03.2023 passed in CRM-M-29873-2022 (Annexure P-3). The petitioner is in custody ever since 01.09.2021, i.e. for the last 2 years and 2 months.

Having regard to the aforesaid facts and circumstances but without commenting anything on the merits of the case, the present petition is allowed. The petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty

Magistrate concerned.

Disposed of.

(DEEPAK GUPTA)
JUDGE

October 31, 2023
vcgarg

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