

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

CRM-M-43354-2023

Decided on:-18.12.2023

Sukhpal Ram @ Sony

....Petitioner..

vs.

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Gurbir Singh Sidhu, Advocate with
Mr. Nikhil Jindal, Advocate
for the petitioner.

Mr. Shubham Kaushik, AAG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, prayer has been made for grant of regular bail pending trial, in case bearing FIR No.122, dated 15.07.2021, registered under Sections 15-C and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Sangat, District Bathinda.

2. In the present case, the petitioner has been implicated on the basis of disclosure statement made by his co-accused namely, Kuldeep Singh from whom the alleged recovery of 2000 kg of poppy husk/pods was effected.

3. On the other hand, prayer made herein has been opposed at the instance of learned State counsel while referring to the huge recovery involved in the case in hand, besides there being two other cases of NDPS Act registered against the petitioner, thus, he prays for dismissal of the present petition.

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

5. Considering the facts that the investigation in the present case already stands concluded with the filing of challan, followed by framing of charges and the petitioner is behind the bars for the last more than 10 months as also the fact that he having been implicated merely on the basis of disclosure made by co-accused Kuldeep Singh; the veracity thereof is yet to be examined during trial, I do not find any reason to extend the incarceration of the petitioner any further.

6. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

7. It is made clear that this order may not be construed as expression of an opinion on the merits of the case.

18.12.2023

sonika

(HARKESH MANUJA)
JUDGE

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