

220 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-44642-2023

Date of Decision:14.09.2023

Sukhdev Singh @ Sukha

...Petitioner

vs.

State of Punjab

...Respondent

**Coram : Hon'ble Mr. Justice N.S.Shekhawat**

Present : Mr. Shwender Pal, Advocate for  
Mr. B.S.Bhalla, Advocate  
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

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**N.S.Shekhawat J. (Oral)**

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.87 dated 06.05.2023 registered under Section 21(b) and 29 of NDPS Act, at Police Station Chheharta, District Police Commissionerate Amrtisar.

2. Learned counsel for the petitioner submits that the petitioner was not named in the present case and has been nominated as an accused on the basis of the disclosure statement suffered by his co-accused. Even after his arrest on 21.05.2023, no contraband was recovered from him and the amount of Rs.25,000/- was planted on him by the local police. Learned counsel further contends that his co-accused, namely, Nanak Singh has already been granted the concession of bail by this Court vide order dated 22.08.2023 (Annexure P-3).

3. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that in the present case, Amardeep Singh was having connections with international smugglers. However, the prosecution has not been able to place on record any evidence to show the connection of the petitioner with any Pakistani National.

4. I have heard the learned counsel for the parties and perused the record.

5. The petitioner was arrested in the present case on 21.05.2023 and is in custody since then. Except the disclosure statement suffered by the co-accused, no other evidence has been collected against the petitioner. Still further, no recovery was effected from the petitioner and his further custody will serve no meaningful purpose.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

14.09.2023  
hemlata

(N.S.SHEKHAWAT)  
JUDGE

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