

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-55050-2022 (O&M)

Date of Decision: 12.01.2023

Sukhdeep Singh alias Seepa

... Petitioner

V/s.

State of Punjab

... Respondent

CORAM: **HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present : Mr. Charanjit Singh Bahia, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

DEEPAK MANCHANDA, J.(Oral)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 210 dated 16.10.2019, under Sections 22, 25, 61, 85 of NDPS Act registered at Police Station Sangat, District Bathinda.

Learned counsel for the petitioner contends that the petitioner is in custody since 10.08.2020. He submits that he has been falsely implicated in the present case as the recovery was effected from one Harpreet Singh alias Gopi, who has been granted regular bail by the Co-ordinate Bench of this Court vide order dated 07.04.2022 in CRM-M-26662-2021 . He further submits that the challan stands presented and no witness has been examined till date and that the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Custody certificate filed by the respondent-State is taken on record.

Per contra, 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 but does not dispute the fact that co-accused has been granted bail by this Court and the challan stands presented and out of total 17 witnesses none has been examined till date.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 10.08.2020.

It is not a case made out by the respondent-State that concession of bail if granted to the petitioner would hamper the course of free and fair trial. Further, since the co-accused has been granted bail and the challan stands presented and out of total 17 witnesses none has been examined yet and the trial would take sufficient time, no useful purpose would be served in keeping the petitioner behind bars

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

12.01.2023
seema

Whether speaking/reasoned	Yes
Whether Reportable	Yes /No