

CRM-M No.56225 of 2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No. 247

CRM-M No.56225 of 2023

Date of Decision: 15.11.2023

Sukhdeep Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. H.S. Multani, Advocate,
for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

Petitioner is praying for regular bail in case FIR No.117, dated 02.08.2023, registered under Sections 18, 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred as 'the NDPS Act'), at Police Station Barnala, District Barnala.

As per the prosecution allegations, on 02.08.2022, 12 kgs opium was recovered from a truck occupied by co-accused Kulwant Singh and Ranjodh Singh. On the basis of disclosure statement of Ranjodh Singh, 8 kgs more opium was recovered. In his disclosure statement, this co-accused also named one Sukhdev Singh from whose possession 100 gms of opium and drug money of Rs.36,000/- were recovered. Said Ranjodh Singh is stated to have nominated the petitioner as accused.

It is contended by learned counsel for the petitioner that no

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recovery has been effected from the petitioner; that he has been nominated only on the basis of disclosure statement of co-accused, which is not admissible; that the petitioner has no criminal antecedent and he is in custody for last three months and the trial is likely to take long time to conclude.

Notice of motion.

Mr. P.S. Pandher, AAG, Punjab, accepts notice on behalf of the respondent-State.

Learned State counsel could not refute the aforesaid contentions. Even as per the custody certificate, the petitioner is in custody for the last 03 months and 04 days, with no criminal antecedent.

It is the conceded position that no recovery has been effected from the petitioner.

Considering all the aforesaid facts and circumstances of the case, but without commenting anything on the merits of the case, the petitioner is admitted to bail. He is ordered to be released on bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned.

Allowed.

15.11.2023

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(DEEPAK GUPTA)
JUDGE

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