

206-2

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

CRM-M-17249-2024 (O&M)

Date of decision : 03.12.2024

Sonu @ Sonu Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. N.S. Dandiwal, Advocate,
for the petitioner.

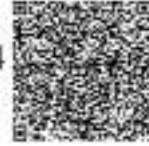
Mr. TPS Walia, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail pending trial to the petitioner in FIR No.92 dated 06.06.2023, under Sections 21, 25, 27-A & 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Lopoke, District Amritsar Rural.

2. Allegations are that 257 grams of Heroin along with drug money of Rs.3,45,000/- was recovered from co-accused, namely, Karaj Singh and petitioner was nominated as an accused on the basis of disclosure made by said Karaj Singh.

3. Learned counsel for the petitioner contends that petitioner was granted interim bail by this Court on 16.04.2024 and he is regularly appearing before learned Special Court. There is no



apprehension that petitioner is likely to influence the prosecution witnesses or hamper the trial, in any manner; therefore, no useful purpose would be served while sending the petitioner behind bars, at this stage.

4. Learned State Counsel, on instructions, has fairly acknowledged the above factual position.

5. Heard learned counsel for both the sides and perused the paper book.

6. It is a matter of record that petitioner was granted interim bail by this Court on 16.04.2024 and the order reads as under:-

“Contends, inter alia, that co-accused Dharwinder Singh with similar allegations has already been granted the concession of bail pending trial by the then Coordinate Bench vide order dated 12.09.2023, passed in CRM-M-43953-2023.

Learned State Counsel seeks time to have instructions as to whether the aforesaid order granting bail to co-accused was further challenged?

Posted for 17.07.2024.

In the meanwhile, petitioner be released on interim bail in the present case till the next date of hearing on his furnishing adequate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

To be heard along with CRM-M-16379-2024.”

7. It is acknowledged by learned State counsel that in terms of the aforesaid order, petitioner was released on interim bail and he is regularly appearing before learned Special Court; there is no allegation that he is likely to misuse the concession of bail or hamper the proceedings in case his interim bail is made absolute; and as such,

2024.PHHC:160934



sending the petitioner to custody at this stage would not serve any purpose.

8. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 16.04.2024, is made absolute. Petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. Petitioner shall appear on each & every date of hearing and to fully co-operate with the learned Special Court without seeking any unnecessary adjournment(s).

10. Above observations be not construed as an expression of opinion on merits of case, in any manner.

11. It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

03.12.2024
atulsethi

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No