



231 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19561-2024
Decided on:-28.05.2024

Sukhdeep SinghPetitioner..

vs.

State of PunjabRespondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Rahul Soi, Advocate for
Mr. Sandeep Kumar Bansal, Advocate,
for the petitioner.

Mr. Karuneesh Kaushal, AAG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 439 CrPC, prayer has been made for grant of regular bail in case FIR No.200 dated 08.12.2023 registered under Sections 21, 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 29 of the NDPS Act added later on), at Police Station Dhanaula, District Barnala, wherein the petitioner has been implicated on the basis of disclosure statements made by Arshdeep Singh @ Bittu and Sahib Singh, from whom the joint recovery of 280 grams of “heroin” was effected.

2. Learned State counsel vehemently opposes the prayer made on behalf of the petitioner, while referring to the antecedents of the petitioner, who is stated to be involved in one more case bearing FIR No.188 dated

29.11.2023 registered under Sections 21, 22 and 29 of the NDPS Act, 1985 at Police Station Barnala, District Barnala and thus, prays for dismissal of the present petition.

3. 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.

4. In the present case, the investigation is almost complete and the petitioner, who is a young boy of 26 years of age, is in custody for the last more than 05 months. Moreover, petitioner has been implicated only on the basis of disclosure statements made by Arshdeep Singh @ Bittu and Sahib Singh, from whom the joint recovery of 280 grams of “heroin” already stood effected, besides it, no recovery has been effected from the petitioner in the present case.

As regards the implication of the petitioner in other case is concerned, he is on interim bail in that case.

5. Considering the aforesaid facts, I do not find any justification to extend the incarceration of the petitioner.

6. In view of the above, but without commenting upon merits of the present petition, the same is allowed. The petitioner is ordered to be released on bail subject to his furnishing adequate bail bonds / surety bonds to the satisfaction of the Trial Court/Illaq Magistrate/Duty Magistrate concerned.

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

28.05.2024

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/ No