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

CRM-M-31010-2024(O&M)

Date of Decision:- 14.10.2024

Sukhwinder Singh

...Petitioner

Vs.

Union of India through NCB, Chandigarh

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Prashant Vashisth, Advocate
for the petitioner.

Mr. Tajeshwar Singh Sullar, Advocate for respondent-NCB.

AMARJOT BHATTI, J.

1. The petitioner – Sukhwinder Singh has filed petition under Section 439 Cr.P.C. for grant of regular bail in Complaint No.9 dated 24.04.2024, under Sections 8/18/23/29 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Narcotics Control Bureau (NCB), Chandigarh.

2. As per the facts narrated in the aforesaid complaint (Annexure P-1), on 24.04.2024 at about 10:00 AM information was received by Charchit Lohai, Sub-Inspector, NCB, Chandigarh that a suspected parcel AWB No.2345756910 weight 06 Kg., shipment dated 20.04.2024 was lying at DHL 55 GT road, Dhandhari road Khurd, Ludhiana booked by Himesh Sudhera of House No.398, Hargobind Nagar, Phagwara, PB. The said parcel was opened and from the clothes in the said parcel total 0.273 Kg. of opium was recovered concealed in the clothes as detailed in the complaint and on enquiry, it was revealed that the said consignment was booked by Sukhwinder Singh in the name of Himesh Sudhera who is father-in-law of his son. With these allegations, present complaint was filed.

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3. Learned counsel for petitioner argued that the allegations levelled against the petitioner are false. He was apprehended in this case on 25.04.2024. It is a case of non-commercial quantity of contraband i.e. opium. Trial of this case may take long time. He will abide by the terms of bail order. Therefore, his bail petition may be allowed.

4. Bail petition was opposed by learned counsel representing NCB. Reply is filed confirming that it is a case of recovery of 0.273 Kg. (273 grams) of Opium received from the aforesaid parcel booked for Canada by the present petitioner by using false identity proof. Considering the gravity of offence, he is not entitled to be released on bail.

5. I have considered the arguments and have gone through the record. It is a case of recovery of non-commercial quantity of Opium. Present petitioner was apprehended on 25.04.2024 and since then he is behind the bars. Proceedings in the aforesaid complaint may take some time. Therefore, without expressing my mind on the merits of case, regular bail petition filed by petitioner – Sukhwinder Singh is allowed. He is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge concerned.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

14.10.2024

*Sunil Devi***(AMARJOT BHATTI)
JUDGE**Whether speaking/reasoned:
Whether reportable:Yes/No
Yes/No