

S. No.2222024:PHHC:031278

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision:05.03.2024

1. CRM-M-32340 of 2023

Sukhmander Singh.....Petitioner

Vs.

State of Punjab.....Respondent

2. CRM-M-42152 of 2023

Satnam Singh alias Sattu.....Petitioner

Vs.

State of Punjab.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. G.S. Sandhu, Advocate for the petitioner
in CRM-M-42152 of 2023.
Mr. G.S. Sandhu, Advocate for Mr. R.S. Rawat,
Advocate for the petitioner in CRM-M-32340 of 2023.
Mr. Amandeep Singh, DAG, Punjab.

DEEPAK GUPTA, J. (Oral)

In both the cases titled above, petitioners pray for grant of regular bail in case FIR No.16 dated 22.01.2023 registered under Section 22 (Act No.61 of 1985) at Police Station Sadar, Lambi, District Muktsar Sahib.

As per allegations, on 22.01.2023, the two petitoners, namely, Sukhmander Singh and Satnam Singh alias Sattu, were found in possession of 450 intoxicating tablets each. The same were found to contain the salt of Tramadol Hydrochloride. The total weight of the contraband in all the intoxicating tablets has been found to be approximately 310 grams which falls in the commercial category.

Learned counsel for the petitioners contend that the petitioners have been falsely implicated; that they are in custody more than one year and that the trial may take long time to conclude, so, they be allowed bail.

CRM-M-32340 of 2023
CRM-M-42152 of 2023

2024:PHHC:031278
2024:PHHC:031310

Learned State Counsel has opposed the bail petition by pointing out towards the commercial category of the contraband as recovered from the two petitioners. However, on instructions from ASI Dalbir Singh, it is conceded by learned State Counsel that out of 15 witnesses cited by the prosecution, not even a single witness has been examined so far.

As per the custody certificate placed on record on behalf of petitioner- Sukhmander Singh, he is in custody for the last 01 year 01 month and 09 days with no criminal case pending against him.

As per the custody certificate placed on record on behalf of petitioner – Satnam Singh @ Sattu, he is custody for the last 01 year 01 month and 09 days and he is involved in one more case pertaining to the NDPS Act.

Having regard to the fact that not even a single witness has been examined so far, it is apparent that trial is likely to take long time to conclude. Considering the long incarceration of the petitioners and the fact that the trial is not proceeding further, but without commenting anything on the merits of the case, the present petitions are allowed. Petitioners are admitted to bail on their furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned, on usual terms and conditions.

A photocopy of this order be placed on the file of connected case.

March 05, 2024
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No