

CRM-M-47971-2024

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-47971-2024
Reserved on: 12.11.2024
Pronounced on: 28.11.2024

Sukhdeep Singh alias Bablu ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. Akshay Kumar, AAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
122	22.06.2024	Ajnala, Amritsar	21-B, 25, 27-A, 29 of NDPS Act and 25 of Arms Act

1. The petitioner incarcerated in the FIR captioned above came before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.
2. In paragraph 15 of the bail petition, the accused declares that he has no criminal antecedents.
3. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

“2. That the brief and relevant facts of the case are that the aforesaid FIR No. 122 dated 22.06.2024 was registered at the Police station Ajnala, Amritsar (Rural), on the basis of a 'Ruqa' sent by ASI Kanwaljit Singh mentioning therein that Akash Seth alias Raghu, Karanjit Singh and Sukhdeep Singh (petitioner) were apprehended by him in the area of Ajnala on the basis of secret information received during the patrolling and search of anti-social elements and during the search of the box carried by Akash Seth, 5 pistols of 30 bore along with 10 magazines, one glock 9MM without magazine were recovered. The detailed facts mentioned in the aforesaid Ruqa have been reproduced in the true translation of the FIR attached with the petition as Annexure P-1, which

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

6. It would be appropriate to refer to the following portions of the reply, which read as follows:

6. That during the custodial interrogation, the co-accused Akash suffered a disclosure statement dated 24.06.2024 that Bholu used to give him commission for supplying illegal drugs and weapons and about 10/15 days ago, the co-accused Bholu gave him Rs. 5 Lakh, out of which he has made one gold chain and spent some money. A total of Rs. 3,40,300/- was recovered at the instance of the co-accused Akash along with one gold chain, which was taken into police possession vide recovery memo dated 24.06.2024.

9. That the petitioner was arrested with the recovery of 5 pistols of 30 bore along with 10 magazines, one glock 9MM without magazine along with the co-accused Akash and Karanjit Singh. Moreover the I- 20 car used by the petitioner in smuggling of heroin and weapons was recovered at his instance.”

8. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail.

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9. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

10. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

11. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.

12. This bail is conditional, and the foundational condition is that if the petitioner indulges in any non-bailable offense, the State may file an application for cancellation of this bail before the Sessions Court, which shall be at liberty to cancel this bail.

13. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

14. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

15. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

28.11.2024
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Whether speaking/reasoned: Yes
Whether reportable: No.