

S. No.224

2024:PHHC:024932

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-59542 of 2023

Date of Decision:22.02.2024

Sandeep Singh alias Bhatti

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Shivam Joshi, Advocate for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in case FIR No.170 dated 30.07.2022 registered under Sections 21, 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') and Section 25 of the Arms Act at Police Station City Moga, District Moga.

As per prosecution allegations, 1 kg. of heroin and ₹10,45,800/- as drug money were recovered from the possession of co-accused Lovejit Singh @ Love, Bikram @ Honey, Ranjit Money and Bhupinder Singh Bittu. It is alleged that in the disclosure statement of co-accused Lovejit Singh alias Love, the name of petitioner has emerged, as per which, he had sold the heroin to the petitioner.

Learned counsel for the petitioner contends that the petitioner has been nominated only in the disclosure statement of co-accused, which is not admissible; that no recovery was effected from him; that he is in custody for the last more than eight months; that trial may take long time to conclude and that the co-accused Jaspreet Singh @ Jassa has already been allowed bail by this

Court vide order dated 03.11.2023 passed in CRM-M-47134 of 2022 (Annexure P.3).

Learned State Counsel could not refute the afore-said contention. However, bail is opposed on the ground of criminal antecedents of the petitioner, who is involved in four more cases, out of which two pertain to the NDPS Act. Custody certificate also reveals that petitioner is in custody for the last 08 months and 28 days.

Although petitioner is involved in other cases also but it is not disputed that no recovery has been effected from the petitioner in the present case and the fact that co-accused, namely, Jaspreet Singh alias Jassa has already been allowed bail by this Court vide order dated 03.11.2023 (Annexure P.3).

Having regard to all the afore-said facts and circumstances of the case, but without commenting anything on the merits of the case, the present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned, on usual terms and conditions.

February 22, 2024
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(DEEPAK GUPTA)
JUDGE

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