



220

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

CRM-M-22699-2024**Date of Decision:21.04.2025**

Gurdev Singh @ Dev

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Viren Sibal, Legal Aid counsel, for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.0167 dated 09.07.2022 registered under Sections 15, 21, 22 of NDPS Act, at Police Station City, Sri Muktsar Sahib.

2. Learned counsel for the petitioner contends that the FIR in the present case was registered on the basis of the secret information received by the police against the accused. As per the police, the drugs were being sold by the accused and in case, raid was conducted, poppy husk, heroin and intoxicants in huge quantity could be recovered from them. On findings the information reliable, the FIR was registered in the present case and the different accused were arrested by the police. He further contends that the petitioner was arrested in the present case on 09.07.2022 and is in custody since then. Learned counsel has further referred to the orders (Annexures P-3 to P-9) passed by this Court, whereby, the concession of bail has been granted by this Court to Mandeep

Singh @ Laddu, Sukhdev Singh @ Sukha, Amarjit Kaur, Kuldeep Singh, Kabir Singh @ Kaka, Charanjeet Kaur @ Kochi and Bunty.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner is involved in a serious crime. He further contends that one more case under the provision of NDPS Act was registered against the petitioner, however, the petitioner had already undergone the sentence in the said case on 19.01.2023.

4. I have heard the learned counsel for the parties and perused the record.

5. It is not in dispute that the petitioner is in custody for the last more than 2 years and 8 months in the present case and the prosecution has only been able to examine 8 prosecution witnesses, out of total 18 witnesses. Thus, there are no chances of early conclusion of the trial in the present case. Moreover, the other co-accused, namely, Mandeep Singh @ Laddu, Sukhdev Singh @ Sukha, Amarjit Kaur, Kuldeep Singh, Kabir Singh @ Kaka, Charanjeet Kaur @ Kochi and Bunty have already been admitted to bail by this Court, vide orders Annexures P-3 to P-9. Thus, further custody of the petitioner will not serve any meaningful purpose.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

21.04.2025

hemlata

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