



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

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CRM-M-31072-2024 (O&M)
Date of decision: 20.08.2025

SUKHBIR SINGH @ SUKH

... Petitioner

Versus

STATE OF PUNJAB

.. Respondent

CORAM : HON'BLE MR. JUSTICE H.S. GREWAL

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

H.S. Grewal, J. (Oral)

1. The present petition has been filed under Section 439 of Code of Criminal Procedure, seeking regular bail in FIR No.51 dated 27.04.2023 under Section 307 IPC and Sections 21(C), 29, 27-A of NDPS Act and Sections 25, 27 of Arms Act registered at Police Station Bhikhiwind, District Tarn Taran.

2. The case of the prosecution is that at a *nakabandi*, two motorcycles were apprehended. Out of the said motorcycles, the person who was sitting as a pillion rider on one Bullet motorcycle took out his pistol and fired three shots at the police party with an intention to kill and tried to flee away after leaving the said bullet motorcycle behind. However, the police party nabbed the young boy who was carrying the pistol and the other boy-the petitioner namely Sukhbir Singh @ Sukh who was riding the bullet motorcycle was also apprehended whereas his co-accused namely Ranjit Singh was sitting as a pillion rider on the said bullet motorcycle. The other Deluxe motorcycle which was being driven by Harpreet Singh @ Happy and Mangal Singh @ Manga was sitting as a pillion rider on the said deluxe motor cycle, were also nabbed by the police party.



Thereafter, on being searched, 1 kg of *Heroin* in a polythene bag was recovered from the shirt of Ranjit Singh whereas 700 grams of *Heroin* in a polythene bag was recovered from the shirt of Mangal Singh @ Manga. Moreover, a 32 bore pistol alongwith 05 live rounds and 03 empty cartridges was also recovered from his co-accused Ranjit Singh. It is further alleged that on the basis of disclosure statement of the petitioner, an amount of Rs. 9.67 lakhs was recovered. Also, on the basis of disclosure statement of his co-accused namely Harpreet Singh @ Happy, an amount of Rs.15.61 lakhs was recovered as drug money. There is no recovery of any contraband from the present petitioner, however, whether he was aware of the co-accused possessing the contraband, is yet to be ascertained by the trial Court. Moreover, the petitioner is not involved in any other case under the NDPS Act.

3. Learned counsel for the petitioner submits that the petitioner has undergone a custody period of 02 years, 03 months and 11 days and out of 28 cited witnesses, only 02 have been examined so far.

4. Notice of motion.

5. Mr. Amit Rana, Sr. DAG, Punjab, assisted by ASI Satnam Singh, accepts notice on behalf of the respondent-State.

6. Learned counsel for the State by way of filing of custody certificate vehemently opposes the grant of concession of regular bail and does not refute the fact that the petitioner has undergone a custody period of 02 years, 03 months and 11 days and out of 28 cited witnesses, only 02 have been examined so far.

7. I have heard learned counsel for the parties and have gone through the material placed on record.

8. Keeping in view the above and the fact that the custody undergone



by the petitioner is 02 years, 03 months and 11 days; out of 28 cited witnesses, only 02 have been examined so far and since, the conclusion of the trial is likely to take a long time, further incarceration of the petitioner would not serve the ends of justice. Therefore this Court deems it fit to grant the concession of regular bail to the petitioner.

9. Hence, without expressing any opinion on the merits of the case, the instant petition is **allowed**. The petitioner is granted concession of regular bail in the present case, on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/ Chief Judicial Magistrate concerned.

10. It is however, made clear that in case during his bail, if the petitioner indulges in any offence, the State shall be at liberty to file an application for cancellation of bail of the petitioner.

11. Pending applications, if any, also stand disposed of.

20th August, 2025

Sonia Puri

**(H.S. GREWAL)
JUDGE**

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No