



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

206

CRM-M-54256-2023

Gurpreet Singh alias Golu

... Petitioner

Versus

State of Punjab

... Respondent

CRM-M-16940-2024

Mandeep Singh alias Sunny

... Petitioner

Versus

State of Punjab

... Respondent

Decided on : 10.01.2025

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Sandeep Gahlawat, Advocate
for the petitioner (in CRM-M-54256-2023)

Ms. Amarjeet Kaur, Advocate for
Mr. Sukhbir Maandi, Advocate
for the petitioner (in CRM-M-16940-2024).

Mr. Amandeep Singh Samra, AAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. This common order shall dispose of the aforesaid petitions.
2. Present petitions have been filed under Section 439 of the Code of Criminal Procedure, 1973, for grant of regular bail to the petitioner(s), who have been booked for having committed the offences punishable under Section 21(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'NDPS Act'), in FIR No. 267, dated 23.06.2023, registered at Police Station Goindwal Sahib, District Tarn Taran, during the pendency of trial.

2. Learned counsel for the petitioner(s) submit that as per the case



of the prosecution contraband recovered from Gurpreet Singh @ Golu (petitioner in CRM-M-54256-2023) and Mandeep Singh alias Sunny (petitioner in CRM-M-16940-2024) is Heroin weighing 153 gms and 147 gms respectively. Learned counsel for the petitioner(s) submit that the petitioner(s) are in custody since 23.06.2023. Learned counsel also submit that the final report under Section 173 Cr.P.C. had been submitted, but till date only four prosecution witnesses have been examined.

3. Learned counsel for the petitioner(s) further submit that Gurpreet Singh @ Golu and Mandeep Singh @ Sunny were released on interim bail by the co-ordinate bench of this Court vide orders dated 06.02.2024 and 15.04.2024 respectively. They further submit that the period of concession of interim bail granted by this Court has never been misused by any of the petitioners and they further undertake to join the complete process of trial till its end. Learned counsel also submit that the petitioners have no criminal antecedents and are not involved in any other case.

4. On the other hand, learned State counsel submits that out of total 12 prosecution witnesses 04 have been examined and in due course the trial would be completed in near future. Learned State counsel does not dispute the fact that the petitioners never misused the concession of interim bail.

5. Considering the totality of circumstances and the fact that the concession of interim bail has not been misused by the accused/petitioners and eight prosecution witnesses are yet to be examined, more so the fact that the recovery from each of petitioner(s) is non-commercial, the prayer made in the present petitions is allowed. Petitioners are ordered to be released on

bail in this case, subject to their furnishing bail/surety bonds to the



satisfaction of the learned Trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

6. It is made clear that the petitioners shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

7. The observation made here-in-above shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of evidence available on record.

8. It is further made clear that if in future petitioners are found indulged in similar kind of activities, prosecution would be at liberty to seek cancellation of bail in the present case.

Petitions stand disposed of.

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

(SANJAY VASHISTH)
JUDGE

January 10,2025
rashmi

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