



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

CRM-M-65117-2024
Date of decision: 05.02.2025

Sandeep Singh @ Sherry @ Seepa ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Yagsimant Attri, Advocate for the petitioner.

Mr. Inderjeet Singh Ladher, DAG, Punjab.

KARAMJIT SINGH, J. (ORAL)

1. The present petition under Section 483 of BNSS 2023 seeking grant of regular bail to the petitioner in case having FIR No.83 dated 7.7.2021 under Section 15, 25, 29 of NDPS Act, registered at Police Station Barnala District Barnala.

2. The allegations in nutshell are that on 7.7.2021, police arrested co-accused Amrik Singh @ Rinku and Jatinder Singh @ Sonu and recovered 100 Kg of poppy husk from them. Thereafter, both the said co-accused suffered disclosure statement against one Mithu Singh and thereafter, Mithu Singh was arrested and he got effected recovery of 10.5 kg of poppy husk and drug money worth Rs.18000/-. Amrik Singh and Jatinder Singh also suffered separate disclosure statement wherein they named the present petitioner and resultantly the present petitioner was arrested by the police on 11.9.2024.

3. Counsel appearing on behalf for the petitioner submits that the



alleged disclosure statement if any suffered by the co-accused against the present petitioner is inadmissible in evidence. That the petitioner who was arrested on 11.9.2024 is incarcerated for the last more than 4 months 23 days and is having no criminal history and no contraband or any other incriminating article is recovered at the instance of the present petitioner. On completion of investigation, police has presented challan even against the present petitioner but trial will commence only after framing of the charges. That further the detention of the present petitioner in judicial custody is not going to serve any purpose.

4. Notice of motion.

5. Mr. Inderjeet Singh Ladher, DAG, Punjab, accepts notice on behalf of the State and on instructions from police official Tarsem Lal submits that no doubt the petitioner was not named in the FIR which was registered against co-accused Amrik Singh and Jatinder Singh from whom police recovered 100 Kg of poppy husk on 7.7.2021. The State counsel has not disputed the fact that the petitioner was arrested in the present case on 11.9.2024 and during investigation, no incriminating article or contraband was recovered from the petitioner and petitioner is having no criminal antecedents. On completion of investigation, challan has been presented against the present petitioner but trial will commence only after the framing of charges.

6. The present petitioner is nominated as an accused on the basis of disclosure statement of co-accused Amrik Singh and Jatinder Singh. The veracity and relevance of the said disclosure statement will be tested during trial. No contraband is recovered at the instance of the present petitioner who was arrested on 11.9.2024 and is presently lodged in judicial custody.



It will take time for the trial to terminate even after the framing of charges.
In the given circumstances, no fruitful purpose is going to be served by keeping the petitioner in custody for any longer period.

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

05.02.2025
Yogesh

(KARAMJIT SINGH)
JUDGE

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