



CRM-M-61131-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

229

CRM-M-61131-2024

Decided on :19.05.2025

Gautam Partap @ Pannu

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

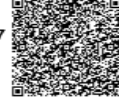
Present: Mr. Rishu Mahajan, Advocate for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No.30 dated 19.05.2024, under Section 25 of Arms Act, 1959 and Sections 120-B IPC and Section 27-A of NDPS Act, 1985, registered at Police Station State Special Operation Cell, Amrtisar, District Intelligence Wing (CID).

2. Learned counsel for the petitioner submits that, as per the allegations, a recovery of 3 kilograms of heroin was made from the main accused, Jaswinder Singh. In his disclosure statement, Jaswinder Singh named the petitioner, alleging that the recovered contraband had been supplied by the petitioner. It is further submitted that upon the arrest of the petitioner, no contraband was recovered from his possession, except for an amount of ₹17,50,000/- (Rupees seventeen lakhs and fifty thousand only). Counsel contends that the petitioner has been in custody for the last eleven months and nineteen days and has clean antecedents, with no previous involvement in any similar criminal activity. Out of a

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total of 20 prosecution witnesses, none have been examined to date, and the trial is likely to take considerable time. On these grounds, learned counsel prays for the grant of regular bail to the petitioner.

3. On the other hand, learned State counsel opposes the bail application, submitting that the investigation has revealed the petitioner's involvement in the smuggling of narcotic drugs from Pakistan through drones, a matter of serious national concern. He submits that such offences threaten public health and national security and must be dealt with stringently. However, when questioned, learned State counsel could not point out any specific material collected during the investigation to substantiate the allegation of cross-border drone smuggling or to establish the petitioner's direct role beyond the disclosure statement of the co-accused.

4. Having considered the rival submissions, and taking into account that the present case is the only matter in which the petitioner is incarcerated, and he has already been in custody for approximately eleven months and nineteen months, along with the fact that none of the 20 listed prosecution witnesses have been examined so far, the Court is of the view that the conclusion of the trial is likely to take considerable time. It is also noteworthy that the petitioner has no prior involvement in any similar offence and has clean antecedents.

In view of the above, this Court is of the considered opinion that the petitioner may be afforded an opportunity to rehabilitate and

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reintegrate into society, particularly as the present case is the only one in which he is currently facing trial.

5. Considering the aspects and circumstances, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his 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. The observation made hereinabove shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

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

8. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

19.05.2025*Rashmi*

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