



238

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

CRM-M-13419-2025

Date of Decision: 18.03.2025

Raja Singh alias Raju

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : Ms. Manpreet Ghuman, Advocate
for the petitioner.

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

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the fourth petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.72 dated 21.05.2022 registered under Sections 15/25/29/61 and 85 of NDPS Act, at Police Station Dhanaula, District Barnala.

2. Learned counsel for the petitioner contends that the petitioner was not named initially in the FIR and has been nominated as an accused on the basis of the disclosure statement suffered by co-accused to the effect that the petitioner is the seller of the recovered contraband. Learned counsel for the petitioner has placed reliance on the orders passed by this Court in CRM-M-51907-2023 titled as Manga Singh Vs. State of Punjab and CRM-M-50439-2024 titled as Varinder Singh @ Raju Vs. State of Punjab, whereby the concession of bail has been granted to Manga Singh and Varinder Singh @ Raju, who were apprehended at the spot and were the main accused in the



present case. Learned counsel further submits that the case of the petitioner is on better footing than both the accused.

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 six more cases of NDPS Act. However, he admits that both the main accused, namely, Manga Singh and Varinder Singh @ Raju have already been admitted to bail by this Court.

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

5. At this stage, it is not in dispute that the main accused, namely, Manga Singh and Varinder Singh @ Raju have already been admitted to bail by this Court and the petitioner was arrested in the present case on the basis of the disclosure statements suffered by them. Moreover, the petitioner is in custody since 11.08.2022 and the trial is not likely to conclude in near future.

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 subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.



(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

(viii) The petitioner shall report every 1st Monday in English calander month to the concerned SHO till the conclusion of the trial and SHO shall mark his presence by making an entry in the rojnamcha. In case, he does not report on every 1st Monday to the concerned SHO, it shall be viewed seriously and the concession granted to him shall be liable to be cancelled and the prosecution shall be at liberty to move an appropriate application in this regard.

18.03.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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