



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

CRM-M-9364-2025 (O&M)
Date of decision: 21.03.2025

Ranjit Singh @ Rana ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Ruhani Chadha, Advocate for the petitioner.

Mr. J.S. Dhaliwal, AAG, Punjab.

KARAMJIT SINGH, J. (ORAL)

CRM-11017-2025

1. This is an application filed under Section 482 of Cr.P.C for preponement of the date of hearing in the main case from 25.03.2025 to an early date.

2. For the reasons stated in the application, the same is allowed and the date of hearing in the main case is preponed from 25.03.2025 to today and the same is taken on board today itself for hearing.

CRM-M-9364-2025

1. The present petition has been filed by the petitioner under Section 483 of BNSS 2023 seeking grant of regular bail to the petitioner in case having FIR No. 02 dated 06.01.2021, under Section 18 of NDPS Act (Section 29 of NDPS Act was added later on), registered in Police Station Cantt Jalandhar, District Jalandhar

2. The allegations in brief are that 26 polythene bags containing opium were recovered from the vehicle in which Krishana Rao, Poonam Devi Rao and Raj Kumar Bhagat were traveling on 06.01.2021. The weight of the said opium was 26 kg 110 grams and the same was put in a drum and



thereafter, samples were collected. The aforesaid three persons arrested at the spot. Thereafter, certain other persons including the present petitioner were nominated as accused on the basis of disclosure statement suffered by co-accused. During investigation, the petitioner was arrested by the police.

3. The counsel for the petitioner inter alia submits that petitioner is falsely implicated in the present case and the alleged disclosure statement suffered by co-accused against the present petitioner is inadmissible in evidence. During investigation, no contraband was recovered by the police at the instance of the present petitioner who is incarcerated for the last more than 3 years and 3 months and the other accused including the persons who were apprehended at the spot are already granted concession of bail vide orders Annexure P-2 to Annexure P-6 by this Court. That it will take time for the trial to conclude and thus, no purpose is going to be served by keeping the petitioner in custody for any longer period.

4. The present petition is resisted by the State counsel who submits that the present case is relating to recovery of commercial quantity of opium which was effected from a vehicle wherein co-accused Krishna Rao, Poonam Devi Rao and Raja Kumar Bhagat were traveling. The petitioner was nominated as an accused on the basis of the disclosure statement suffered by co-accused and thereafter, he was arrested and is behind bars for the last more than 3 years and 3 months and that trial is going on. However, the State counsel has not disputed the fact that three main accused who were arrested at the spot and two other co-accused are already given concession of bail by this Court vide orders Annexure P-2 to Annexure P-6. It is also not disputed by the State counsel that in the instant case, no contraband was recovered at the instance of the petitioner, by the police.

5. I have considered the submissions made by counsel for the parties.

6. The main accused and the co-accused were granted bail by this Court vide orders Annexure P-2 to Annexure P-6 on the ground that the samples were not separated by following the proper procedure by the police officials at the time of the recovery on 06.01.2021. It is apparent that the



petitioner who was not named in the FIR was later on nominated as an accused on the basis of disclosure statement suffered by co-accused and its veracity is subject matter of trial. Further, the petitioner is incarcerated for the last more than 3 years and 3 months and it will take time for trial to terminate. It is also apparent that no contraband has been recovered in the present case from possession of the petitioner or at his instance by the police. In the given circumstances, as the main accused are already given concession of bail, no 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.

21.03.2025

Yogesh

**(KARAMJIT SINGH)
JUDGE**

**Whether speaking/reasoned:-
Whether reportable:-**

**Yes/No
Yes/No**