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

CRM-M-15422-2025

Date of decision:-26.05.2025

JASBIR SINGH**... Petitioner****Versus****STATE OF PUNJAB****... Respondent****CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.**

Present:- Mr. Jashandeep Singh Sandhu, Advocate, for the petitioner.

Mr. K.D.Sachdeva, DAG, Punjab.

SANJIV BERRY, J.(ORAL)

Learned State counsel has filed reply by way of an affidavit dated 08.05.2025 of Deputy Superintendent of Police, (Rural), District Ferozepur, the same is taken on record, copy thereof, has been supplied to the counsel opposite.

2. The instant petition has been preferred by the petitioners under 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
50	10.05.2023	21 of NDPS Act (25, 29 of NDPS act and 25 of Arms Act added later on)	Kulgarhi, District Ferozepur, Punjab

3. Arguments heard.



4. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that petitioner was not named in the FIR but has been nominated on the disclosure statement of Gurjant Singh alias Janta from whom recovery of contraband along with weapon and currency had been effected by the police, the petitioner has no concern with him and even after being nominated in the present case and consequent upon his arrest on 11.11.2024 no recovery of contraband has been effected from the petitioner. He contends that after completion of investigation, challan has already been presented in Court and conclusion of trial will take sufficient long time. Hence prayed for grant of bail to the petitioner.

5. *Per contra*, learned State counsel referring to the reply submitted by the State has opposed the bail petition on the ground that considering the nature and gravity of offence, petitioner is not entitled to concession of bail. Hence prayed for dismissal of the bail petition.

6. After considering the rival contentions and perusing the record, it is observed that admittedly, the petitioner was not named in the FIR and during course of investigation, has been nominated in the alleged disclosure statement of co-accused Gurjant Singh @ Janta and consequent upon his arrest in the present case on 11.11.2024 no recovery of contraband has been effected from the petitioner and after completion of investigation, challan has already been presented in Court, wherein prosecution has cited 22 witness and till date only 1 witness has been examined. The petitioner is having one more case registered against him, wherein he is on bail. The



conclusion of trial to ascertain criminal liability, if any, of the petitioner, will take sufficient long time, therefore, no purpose would be served by detaining the petitioner any longer in custody.

7. Resultantly, in these circumstances, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with the evidence of the prosecution in any manner.

8. It is further made clear that in case the petitioner is again found involved in any case under NDPS Act, after his release on bail, it will be open for the prosecution to move an application for cancellation of his bail in accordance with law.

9. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

10. Pending application(s) if any shall also stand disposed of.

(SANJIV BERRY)
JUDGE

26.05.2025

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |