

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

2025:PHHC:137958



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CRM-M-35658-2025 (O&M)

Date of Decision: 30.09.2025.

Gourav @ Lalli

...Petitioner.

Versus

State of Punjab

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. Gaurav Kalsi, Advocate for
Ms. Preety, Advocate for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

SUKHVINDER KAUR, J. (Oral)

Present petition has been filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in FIR No.32 dated 08.03.2025, under Sections 21, 22, 29, 27-A/61/85 of NDPS Act (Section 111 of BNS), registered at Police Station Division No.1, District Pathankot.

As per prosecution case, co-accused Pankaj @ Panku was found in possession of 15 grams heroin and drug money of Rs.1,110/- and the petitioner was nominated as an accused in the present case on the basis of disclosure statement of the co-accused.

Learned counsel for the petitioner contended that no recovery had been effected from the petitioner and he is not connected with the offence in the present case. The petitioner has been falsely implicated in the present case only on the basis of disclosure statement of co-accused, which

is not admissible in law. He urged that as trial of the case is likely to take time, therefore, the petitioner be granted concession of regular bail.

Notice was issued in this case on 05.08.2025 and status report was called from the State, which was filed on 10.09.2025 and the same is taken on record.

Learned State counsel has opposed the petition and submitted that the petitioner is actively involved in the alleged offence. He has been specifically named in the disclosure statement of co-accused and as such he is not entitled to the concession of bail.

Heard.

As per the allegations, the name of the petitioner surfaced in the present case, only on the basis of disclosure statement of co-accused. Except the disclosure statement, there is no material on record to connect the petitioner with the offence in question. Recovery had already been effected in the present case and nothing is to be recovered from the petitioner. As per the custody certificate, the petitioner is in custody since 03 months and 21 days. As per status report, in the other cases that have been registered against the petitioner in most of the cases he is on bail. Conclusion of trial is likely to take time, so no useful purpose would be served by further detaining the petitioner behind the bars.

Accordingly, the present petition is allowed and the petitioner is ordered to be admitted to regular bail, on furnishing adequate bail bonds and surety bonds, to the satisfaction of concerned learned trial Judge/Chief Judicial Magistrate/Duty Magistrate.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations

recorded above are only for the purpose of deciding the present bail petition.

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

(SUKHVINDER KAUR)
JUDGE

30.09.2025.

Komal

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