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

CRM-M-37289-2025

Date of Decision:22.07.2025

MOHIT

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

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

Present : Ms. Jyotnoor Kaur Sethi Advocate,
Mr. Gurnoor Singh Sethi, Advocate &
Mr. Yajur Sharma, Advocate
for the petitioner.

Mr. Ravneet Singh Joshi, Deputy, A.G., Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 BNSS with a prayer to grant regular bail to him in case FIR No.39 dated 04.05.2025, registered under Sections 21 of Narcotic Drugs and Psychotropic Substances Act, 1985 to which Section 29 of NDPS Act, 1985 was added later on, Police Station Division No.7, District Police Commissionerate Jalandhar.

2. Learned counsel for the petitioner contends that the petitioner was not named in the FIR nor any averment in the FIR connects him in the commission of crime. As per the case of the prosecution, on 04.05.2025, Sahil Soni, co-accused was apprehended by the police, while he was carrying 260 grams of heroin in his conscious possession without any lawful authorization. During the course of investigation, Sahil Soni suffered a disclosure statement and Manga was nominated as an accused in the present case. Later on, Manga



was arrested and in his disclosure statement he named the petitioner as one of the accused in the present case. She further contends that the petitioner was arrested in the present case on 07.05.2025 and no recovery was effected from him. Even during the course of investigation, no admissible evidence could be collected against the present petitioner.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court. However, he admits that the petitioner is not involved in any other criminal activity.

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

5. In the present case, the petitioner is stated to be in custody for the last about 02 months and the investigation is almost complete against him. Moreover, after the arrest of the petitioner, no contraband was recovered from him. Even the challan has not been presented against the present petitioner. Thus, the further custody of the petitioner will not serve any useful purpose.

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.

22.07.2025
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(N.S. SHEKHAWAT)
JUDGE

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