

2025:PHHC:075742



[208] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31648-2025
Date of Decision : 09.06.2025

Malkit Singh ...Petitioner

versus

State of PunjabRespondent

Coram : **HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. Rajiv Kumar Saini, Advocate
for the petitioner.

Mr. Akhil Kamra, AAG, Punjab.

ROHIT KAPOOR, J. (ORAL)

[1] Prayer in this first petition filed under Section 483 of the Bharatiya Nagrik Suraksha Sanhita, 2023 (BNSS) is for grant of regular bail to the petitioner in case FIR No.38 dated 22.03.2025 under Sections 21, 27(a) and 29 of the NDPS Act registered at Police station Sadar Batala, District, Batala

[2] Learned counsel for the petitioner *inter alia* contends that the petitioner was neither named in FIR No.38 dated 22.03.2025 under Sections 21, 27(a) and 29 of the NDPS Act registered at Police Station Sadar Batala, District, Batala nor any recovery has been made from him. He was nominated only on the basis of the disclosure statement of the co-accused, which is the legal form of the evidence. It is further contended by referring to the orders passed by the Special Court, Gurdaspur dated 01.05.2025



(Annexure P-3) and 13.05.2025 (Annexure P-4) that other 02 co-accused from whom the alleged recovery was effected have already been granted the concession of regular bail.

[3] Learned State Counsel, on instructions, has submitted that all the other co-accused in the instant FIR have already been granted the concession of regular bail and the petitioner is not involved in any other FIR/criminal case. He further submitted that no recovery is effected from the petitioner and his custodial interrogation is not required.

[4] Keeping in view the principle of parity and without expressing any opinion on the merits, the instant petition is **allowed**. Petitioner namely *Malkit Singh* is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the learned Trial Court/Duty Magistrate, concerned.

(ROHIT KAPOOR)
JUDGE

09.06.2025

'R. Sharma'

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