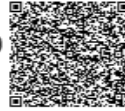


2025:PHHC:109519



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

233+113

**CRM M-4504 of 2025 (O&M)
Date of Decision: 20.08.2025**

Shakeel

...Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Ms. Kamlesh, Advocate
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

N.S.SHEKHAWAT, J. (Oral)

CRM 29490 of 2025

1. Allowed as prayed for.
2. Annexures P-11 and P-12 are taken on record, subject to all just exceptions.

CRM M-4504 of 2024

4. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.82 dated 02.07.2023 registered under Sections 20/29/61 of the NDPS Act (Section 29 of the NDPS Act added later on) at Police Station Amargarh District Malerkotla, Punjab.

5. The brief facts of the case are that on 02.07.2023, when the investigating officer alongwith police party in connection with routine patrol duty in search of miscreants and suspected vehicles was present near village Ratolan, at about 3.00 a.m., he received secret information that Shakeel is habitual of selling *charas* by bringing the same from outside for selling it further and even on that day, he was waiting for his customers at link road of Manak Majra and if, raid was conducted, he could be intercepted with cache of recovery. On checking, recovery of 1 kg 250 grams of *charas* was effected from a plastic transparent '*lifafa*', which was taken into possession. Upon these allegations, FIR was registered.

6. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and nothing is to be recovered from him. Learned counsel for the petitioner further submits that the trial is likely to take long time and no useful purpose will be served by further detention of the petitioner in custody. Learned counsel further submits that the petitioner is in custody for two years and one month. Learned counsel for the petitioner further submits that earlier the petitioner was involved in two more criminal cases, however, in one case, he has been acquitted and in the other case, the petitioner has already undergone the entire sentence. Thus, it is prayed that he may be released on regular bail. In support of his contentions, learned counsel for the petitioner has relied upon judgments in (i) **CRM-M-37684-2021, Balwinder Singh vs. State of**

Punjab, decided on 14.02.2022; (ii) **CRM-M-8212-2022, Tajinder Singh vs. State of Punjab**, decided on 03.03.2022 and (iii) **CRM-M-35186-2016, Manjit Kaur @ Jeeto vs. State of Punjab**, decided on 01.12.2016.

7. On the other hand, learned counsel for the State vehemently opposed the submissions made by learned counsel for the petitioner.

8. Keeping in view the facts and circumstances of the case, custody period of the petitioner and also the fact that the quantity of alleged contraband is marginally above the 'commercial quantity', but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

9. Therefore, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of bail/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned.

20.08.2025

amit rana

(N.S.SHEKHAWAT)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No