



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

227

CRM M-54638-2024

Date of Decision:05.08.2025

Rajesh Prasad Gupta

...Petitioner

Versus

Union of India

... Respondent

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

Present : Mr. H.S. Bhogal, Advocate for the petitioner.

Mr. Rajiv Sharma, Special P.P., for U.T., Chandigarh.

N.S.SHEKHAWAT, J.

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') read with Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail pending trial to the petitioner in Crime No. 022 dated 03.08.2023, under Sections 8, 15, 25 and 29 of Narcotic Drugs and Psychotropic Substances, Act, 1985 (for short, 'NDPS Act') registered at Police Station Narcotics Control Bureau, Chandigarh.

2. Learned counsel for the petitioner contends that vide order dated 25.02.2025, the petitioner has been ordered to be released on *interim* bail and since then, he is continuously appearing before the trial Court. He submits that only one witness out of 13 witnesses, has

been examined by the prosecution so far and the conclusion of the trial may not be possible in near future.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that one more case of similar nature was registered against the petitioner and the petitioner is a habitual offender.

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

5. It is not in dispute that the petitioner was granted the concession of interim bail on 25.02.2025 and, thereafter, he is regularly appearing before the trial Court. Even, he has never misused the concession of interim bail granted to him. As per the learned counsel for the petitioner, the petitioner has been granted the concession of regular bail in the case, which was got registered by the respondent in Kolkata.

6. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

05.08.2025

amit rana

(N.S.SHEKHAWAT)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No