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

CRM-M-26261-2025

Date of Decision:25.07.2025

Gulab Singh

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : Mr. Parminder Singh Sekhon, Advocate and
Mr. Parshant, Advocate
for the petitioner.

Mr. Ravneet Singh Joshi, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.21 dated 01.03.2025 registered under Sections 22 and 29 of NDPS Act, 1985, at Police Station Passiana (Pasyana), District Patiala.

2. Learned counsel for the petitioner contends that as per the case of the prosecution, Jasbir Singh @ Kala, co-accused was apprehended by the police at the spot, while he was carrying 295 loose tablets of Buprenorphine Hydrochloride, without any permit or licence. It was alleged that the petitioner had fled from the spot. In reality, the petitioner was not present at the place of recovery and has been falsely involved in the present case. He further contends that the petitioner was arrested on 14.03.2025 and no recovery was effected from him.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that

there are six other cases against the petitioner and he is a habitual offender. Thus, the petition is liable to be dismissed.

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

5. In the present case, undoubtedly, there is no recovery from the present petitioner and he has been nominated as an accused only on the basis of the disclosure statement suffered by Jasbir Singh @ Kala. The admissibility of the said statement is yet to be decided by the trial Court.

6. At this stage, 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, subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of

residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

(viii) The petitioner shall report every 1st Monday in English calander month to the concerned SHO till the conclusion of the trial and SHO shall mark his presence by making an entry in the rojnamcha. In case, he does not report on every 1st Monday to the concerned SHO, it shall be viewed seriously and the concession granted to him shall be liable to be cancelled and the State of Punjab shall be at liberty to move an appropriate application in this regard.

25.07.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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