



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

251

CRM-M-591-2025

Date of decision: 15.01.2025

Ravinder

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sahil Vashishat, Advocate
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.106 dated 11.10.2024 under Sections 18(b), 61 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') registered at Police Station Division No.3, Ludhiana.

2. Learned counsel for the petitioner submits that the petitioner's false implication in the present case is evident from the fact that he has no previous criminal antecedents; the petitioner was intercepted on suspicion and thereafter a recovery of 2 kgs 100 grams of opium was allegedly effected from a bag which he was carrying with him. Learned counsel has submitted that although the recovery has been planted upon him, however, even otherwise the contraband allegedly recovered from the petitioner is less than the minimum classified as 'commercial' under the NDPS Act. Learned counsel has further



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submitted that investigation in the present case is complete, however, there is no possibility of the trial concluding in the near future as charges have not yet been framed coupled with the fact that as many as 11 prosecution witnesses have been cited.

3. Per contra, learned State counsel while opposing the prayer made by learned counsel for the petitioner, on instructions, has not disputed the stage of trial nor has it been disputed that the recovery effected from the petitioner i.e. 2 kgs 100 grams of opium was less than the minimum classified as 'commercial' under the NDPS Act. On a further query, learned State counsel has also not disputed that it is a case of chance recovery and the petitioner has no previous criminal antecedents.

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

5. The petitioner has been in custody since 11.10.2024 and the challan stands presented. The trial would take considerable time to conclude as 11 prosecution witnesses have been cited by the prosecution. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

6. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

7. Needless to add, in case the petitioner misuses the



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concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

15.01.2025

Vinay

**(MANJARI NEHRU KAUL)
JUDGE**

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