



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

CRM-M No.47618 of 2024
Date of decision: 29th November, 2024

Sahil Jindal

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Saksham Dudeja, Advocate for the petitioner.

Mr. Navdeep Singh, Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of Cr.P.C. in case FIR No.49 dated 17.01.2024 under Sections 52-A(1) of the Prison Act, Sections 7, 13 of the Prevention of Corruption Act, 1988, Section 29/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Sections 120-B, 34 of the IPC registered at Police Station Division No.7, Police Commissionerate Ludhiana.

2. Learned counsel for the petitioner submits that the petitioner has been in custody since 17.01.2024; false case has been planted upon the petitioner for allegedly supplying mobile handsets along with intoxicants to jail inmates. Learned counsel has submitted that no recovery of any mobile handset much less any intoxicants was affected

from the petitioner when he was arrested. Learned counsel has further submitted that since challan stands presented and even charges framed against the petitioner, his further incarceration would serve no useful purpose as none of the 24 witnesses cited by the prosecution have been examined till date, hence possibility of the trial concluding in the near future does not arise. It has further been submitted that identically placed co-accused Ram Rattan has since been extended the concession of bail by this Court vide order dated 03.10.2024, hence, the petitioner also deserves the said concession.

3. Learned State counsel, on the other hand, while opposing the prayer and submissions made by the counsel opposite, on instructions, has not disputed the factual aspect of the matter. He has also not disputed that similarly placed co-accused Ram Rattan has since been extended the concession of bail by this Court. However, he submits that the petitioner had been named in the secret information received by the police that he along with the co-accused had been facilitating smuggling of intoxicants and mobile handsets inside the jail.

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

5. The petitioner, in the instant case, has been in custody since 17.01.2024. As not disputed by the learned State counsel, no recovery of any incriminating articles, much less contraband was affected from the petitioner after his arrest in the present case. The trial is unlikely to

conclude in the near future on account of the prosecution evidence still to be recorded.

6. In the facts and circumstances, as enumerated hereinabove, this Court thus deems it fit to extend the concession of bail to the petitioner. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. 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 here, in case the petitioner misuses the concession of bail, the State would be at liberty to approach this Court for cancellation of bail in the instant case.

(MANJARI NEHRU KAUL)
JUDGE

November 29, 2024
rps

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