



CRM-M-47903-2024 (O&M)

297/2

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

**CRM-M-47903-2024 (O&M)
Date of decision : 28.11.2024**

Anil Kumar @ Laddi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

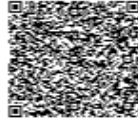
Present: Mr. G.S. Saini, Advocate and
Mr. M.S. Saini, Advocate,
for the petitioner.

Mr. Rohit Bansal, Sr. DAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present third petition has been filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 (for short, 'the BNSS') for grant of bail pending trial to the petitioner in FIR No.0061 dated 06.11.2014, under Sections 382, 392, 394, 395, 386, 353, 354, 447, 482, 108, 506 and 509 of the Indian Penal Code, 1860; Section 25 of the Arms Act, 1959; and Sections 15, 18, 21, 22, 25, 27 & 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985; registered at Police Station Gardhiwal, District Hoshiarpur, Punjab.

2. Above FIR was registered on the basis of secret information, wherein, the informer told the police officials that petitioner along with other co-accused were indulged in procuring and selling narcotics to youngsters in District Hoshiarpur and carrying on



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various anti-social activities such as snatching vehicles, demanding ransom and threatening the innocent people. Further transpires that petitioner was apprehended on 17.11.2014 and which led to recovery of 90 grams Diphenoxylate Hydrochloride besides an Alto car.

3. Custody certificate dated 26.11.2024 produced by learned State counsel is taken on record.

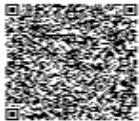
4. Contends that there is no specific allegation against the petitioner; nor any incriminating material has been received by the police during investigation. Again contended that alleged recovery of contraband as well as the Alto car is vitiated inasmuch as no independent witness was associated during the recovery proceedings. Further contends that petitioner is in custody for the last more than 10 years; out of total 22 prosecution witnesses, only 17 have been examined so far; therefore, trial is likely to take sufficient more time.

5. Although, learned State counsel is not able to dispute the above factual position, but he opposed the prayer while submitting that allegations are very serious in nature. Also submits that petitioner is involved in other criminal cases as well.

6. Heard both sides and perused the paper-book.

7. Perusal of the custody certificate reveals that petitioner is in custody for the last more than 10 years; therefore, no purpose would be served while keeping him in custody any further.

8. Consequently, present petition is **allowed**; petitioner shall be admitted to bail forthwith on furnishing bail/surety bonds to the



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satisfaction of learned Special Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. Petitioner shall appear on each & every date of hearing and to fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

10. The above observations be not construed as an expression of opinion on the merits of the case.

11. It is clarified that in case there is recurrence or any misuse of concession of bail on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

28.11.2024
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No