



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

207

CRM-M-51445-2024 (O&M)
Date of decision: 23.10.2024

Gurmeet Singh alias Jeetu

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. G.S. Sandhu, Advocate for the petitioner

Mr. Manipal Singh Atwal, DAG Punjab

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in this petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.61 dated 02.08.2022 registered under Section 15 and Section 29 of NDPS Act (added later on vide GD No.35 dated 04.08.2022), at Police Station Amir Khas, District Fazilka.
2. Learned counsel contend that the petitioner is in custody for about 9 months. He alleges false implication. No recovery has been effected from him. He was implicated on the basis of disclosure statement of co-accused Mandar Singh, who has been granted bail by this Court vide order dated 19.04.2024. Charges were framed on 09.03.2024, however, 6 out of 32 witnesses has been examined so far. He is not involved in any other case.
3. Custody certificate dated 22.10.2024, filed by learned State counsel is taken on record, as per which, the petitioner is behind bars for 8 months and 27 days.
4. Learned State counsel opposes the bail on the ground that commercial quantity of contraband has been recovered from the co-accused



Mandar Singh, who had specially named the petitioner, who is his brother-in-law. He is however unable to controvert the submissions made regarding the stage of the case, co-accused having been granted bail and the petitioner being on bail in other cases.

5. Heard.

6. Keeping in view the facts and circumstances of the case, in particular that the petitioner is in custody for last 8 months and 27 days; not involved in any other case; co-accused has been granted bail; charges stand framed on 09.03.2024, however, out of 32 prosecution witnesses, only 6 have yet been examined; the trial is likely to take a considerable time, thus his further incarceration would not serve any useful purpose, thus, the present petition for grant of regular bail deserve to be allowed.

7. As a result, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned and subject to his not being required in any other case. The petitioner shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number to the Trial Court forthwith and shall not change the same till the



conclusion of the trial and in case for any reason, the petitioner seeks to change any of the aforesaid, the same shall be done only with prior intimation to the learned Trial Court, stating the reason for the same.

- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

9. In view of the above, it is clarified that the observations made herein are limited for the purpose of present proceedings and would not be construed as an opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

23.10.2024
M.Kamra

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