



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

**CRM-M No.47729 of 2024 (O&M)**  
Date of decision: 29<sup>th</sup> November, 2024

Mohd. Shehzad

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Chandan S. Rana, 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 483 of BNSS in case FIR No.49 dated 17.01.2024 under Sections 52-A(1) of the Prison Act, Section 21-61-85 of the Narcotic Drugs and Psychotropic Substances Act, 1985, Sections 120-B, 34 of the IPC and Sections 7, 13 of the Prevention of Corruption Act, 1988 as amended by Prevention of Corruption (Amendment) Act, 2018 added later on (Section 21-61-85 of the NDPS Act deleted and Section 29-61-85 of the Act added subsequently) registered at Police Station Division No.7, District Ludhiana.

2. Learned counsel for the petitioner submits that the petitioner has been in custody since 20.01.2024; false case has been planted upon the petitioner and that too pursuant to a disclosure statement allegedly

suffered by co-accused, who were specifically named in the FIR in question, 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, while lodged in the Central Jail, Ludhiana. 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.

3. Learned State counsel, on the other hand, while opposing the prayer and submissions made by the counsel opposite, on instructions, has not disputed that no secret information had been received qua the involvement of the petitioner in the alleged offences, however, he has submitted that a disclosure statement was suffered by the co-accused during their interrogation, wherein they claimed that the petitioner was also one of their accomplices.

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 20.01.2024. As not disputed by the learned State counsel, no recovery of any incriminating articles much less contraband was affected from the petitioner after his name surfaced in the disclosure statement allegedly

suffered by co-accused. 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*

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |