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

CRM-M-6946-2025**Date of Decision: 11.02.2025**

Satnam Singh Gill @ Satti

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Parminder Singh Sekhon, Advocate and
Mr. Bhupender Beniwal, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.116 dated 28.07.2023 registered under Sections 21 and 29 of NDPS Act and Section 25 of Arms Act, at Police Station Barnala, District Barnala.

2. As per case of the prosecution, 270 grams of heroin, which is marginally above commercial quantity, have been recovered from the petitioner. A country made pistol of .315 bore was also recovered.

3. Learned counsel for the petitioner contends that the petitioner was not named in the FIR and was not arrested at the spot. He further submits that the petitioner was nominated as an accused on the basis of the disclosure statement made by his co-accused-Gurwinder Singh @ Binda. He further contends that the petitioner was arrested after three days from the registration of the FIR and at the time of his arrest, no contraband was recovered from him. The petitioner was arrested in the present case on 04.08.2023 and the final



report under Section 173 Cr.P.C. has already been presented against him. He further contends that the co-accused has been granted the concession of bail on 03.10.2023 by the trial Court, vide order (Annexure P-4). Trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. Thus, it is prayed that he may be released on regular bail. In support of his contentions, learned counsel for the petitioner has relied upon judgments in (i) **CRM-M-37684-2021, Balwinder Singh vs. State of Punjab**, decided on 14.02.2022; (ii) **CRM-M-8212-2022, Tajinder Singh vs. State of Punjab**, decided on 03.03.2022 and (iii) **CRM-M-35186-2016, Manjit Kaur @ Jeeto vs. State of Punjab**, decided on 01.12.2016.

4. On the other hand, learned counsel for the State vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the petitioner and he does not deserve the concession of bail by this Court.

5. Keeping in view the facts and circumstances of the case, custody period of the petitioner and also the fact that the quantity of alleged contraband is marginally above the 'commercial quantity', but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

6. Therefore, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of bail/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned, subject to the following conditions:-

- (i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the



facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

(N.S.SHEKHAWAT)
JUDGE

11.02.2025.

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