

2025.PHHC.027959



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(110)

CRM-M-8004-2025

Date of decision: 27.02.2025

Harpreet Chaudhary

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr.Suvir Sidhu, Advocate
Mr.Pranshul Dhull, Advocate
Mr.Punyaveet, Advocate
Ms.Manisha, Advocate, for the petitioner.

Mr.Kunwarbir Singh, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Petition under Section 483 of Bhartiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') has been filed for grant of bail pending trial to the petitioner in FIR No.126 dated 07.11.2024, under Sections 318(4), 274, 275, 276, 277, 336(2)(3) of Bhartiya Nyaya Sanhita, 2023, registered at Police Station IT City, Mohali.

2. Custody certificate of the petitioner dated 26.02.2025 has been produced by learned State Counsel. Same is taken on record. Registry to do the needful.

3. Allegations are that petitioner along with co-accused was running a unit for manufacturing fake and spurious drugs of common use by labeling the same in the name of renowned pharmaceutical companies.

4. Contends that petitioner was not present at the spot where the alleged recovery was made. Further contends that petitioner is not the owner of alleged premises where recovery was effected. Also contends that petitioner is under custody since 07.11.2024; final report under Section 193 of BNSS was presented on 03.01.2025; but charges are yet to be considered. Lastly contended that this Court granted bail pending trial to co-accused-Chhinda Singh on 07.02.2025 (P-5) in CRM-M-3238-2025.

5. *Per contra*, learned State Counsel opposes the prayer of petitioner while submitting that he played an active role in the commission of crime; thus, he does not deserve concession of bail.

6. Heard learned Counsel for the parties and perused the paper-book.

7. Concededly, petitioner is in custody since 07.11.2024; final report under Section 193 of BNSS was presented on 03.01.2025; charges are yet to be considered by the learned trial Court. As the conclusion of trial shall take sufficient long time; therefore, further incarceration of the petitioner would not serve any purpose.

8. Consequently, present petition is allowed; petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. Petitioner shall appear on each & every date of hearing and fully co-operate with learned trial Court without seeking any unnecessary adjournments.

10. The above observations may not be construed as an expression of opinion on merits of the case, in any manner.

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

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

27.02.2025
sailesh

(MAHABIR SINGH SINDHU)
JUDGE

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