

2025:PHHC:056069



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

219

CRM-M-9848-2025

Date of decision: April 30, 2025

PARVINDER SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Shavinder, Advocate for
Mr. B.S. Bhalla, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab
With ASI Satnam Singh.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is the second petition filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case FIR No.41 dated 09.03.2023 under Section 22 (and Section 29 added later on) of the NDPS Act, 1985, registered at Police Station Sadar Ludhiana, District Ludhiana.

2. Learned counsel for the petitioner submits that the petitioner has been in custody since 10.03.2023 in an apparent case of false implication. The petitioner was not arrested at the spot along with co-accused Ranjit Singh, from whom a recovery of 27,000 tablets of Tramadol was allegedly effected. It has been contended by the learned counsel that the petitioner came to be nominated as an accused in the present case following a disclosure statement allegedly suffered by co-accused Sahil, who too was nominated as an accused in the disclosure statement suffered by prime accused Ranjit Singh. It has been argued by the learned counsel that on



being arrested on 10.03.2023, no recovery of any contraband was made from the petitioner, which further lends credence to his false implication in the present case. It has also been asserted by the learned counsel that evidentiary value of the disclosure statement, on the basis of which the petitioner has been nominated as an accused in the present case, holds little evidentiary value.

3. On a pointed query put to the learned counsel for the petitioner as to whether the petitioner has any criminal antecedents, he has categorically replied in the negative.

4. *Per contra*, learned State counsel, while opposing the prayer and submissions made by the counsel opposite, has not disputed that the custody period of the petitioner, nor has it been disputed, on instructions, that after the petitioner was nominated as an accused following the second disclosure statement made by co-accused Sahil, no recovery of any contraband was made from the petitioner. It has also not been disputed, on instructions, that the petitioner has no previous criminal antecedents, much less ever being involved in a case under the NDPS Act, which fact is also evident from the custody certificate of the petitioner filed in the Court today.

5. On a pointed query put to the learned State counsel as to the stage of trial, he, on instructions, has submitted that as on date, 6 prosecution witnesses out of the 13 cited stand examined and the next date fixed before the learned trial Court is 05.05.2025, when some of the remaining prosecution witnesses are likely to be examined.



6. I have heard learned counsel for the parties and perused the relevant material placed on record.

7. The petitioner is stated to be involved in no other criminal case, much less under the NDPS Act. After being nominated as an accused in the present case, on his arrest, no recovery of any contraband was effected from the petitioner as also conceded by the learned State counsel. The trial is unlikely to conclude in the near future as 7 prosecution witnesses still remain to be examined.

8. In view of the facts and circumstances as enumerated hereinabove, this Court deems it fit to allow the instant petition, and extend the concession of regular bail to the petitioner.

9. The petition as such is allowed, and the petitioner be 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.

10. Needless to add here, in case the petitioner is found misusing the concession of bail, the State would be at liberty to approach this Court to seek cancellation of bail to him.

April 30, 2025

Jaspreet Kaur

(MANJARI NEHRU KAUL)

JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*