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

CRM-M-12989-2025

Date of Decision: 12.03.2025

Raju

...Petitioner

VS.

State of Punjab

...Respondent

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

Present : Mr. Brijesh Nandan, Advocate (through VC)
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.180 dated 06.08.2024 registered under Sections 21(C), 25, 29 of NDPS Act (Sections 27-A/61/85 of NDPS Act added later on), at Police Station Gharinda, District Amritsar Rural, Punjab.

2. Learned counsel for the petitioner contends that as per the case set up by the prosecution, two co-accused, namely, Jatinder Singh and Lovepreet Singh were arrested by the police, while they were carrying 1 kg of heroin in their conscious possession, without any permit or license. He further submits that the petitioner was not initially named in the FIR and has been nominated as an accused on the basis of the disclosure statement suffered by co-accused. The petitioner was arrested in the present case on 08.08.2024 and the challan has already been presented against him. Even, similarly placed co-accused, namely,

Ashok Kumar has been granted the concession of bail by this Court, vide order dated 05.12.2024 (Annexure P-3).

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that one more case under the provision of NDPS Act has been ordered to be registered against the petitioner and he does not deserve the concession of bail by this Court.

4. I have heard the learned counsel for the parties and perused the record.

5. The petitioner is in custody for the last more than 07 months and the challan has already been presented against him. Similarly placed co-accused, Ashok Kumar has already been granted the concession of bail by this Court, vide order dated 05.12.2024 (Annexure P-3).

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

12.03.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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