

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

Date of Decision: 25.03.2025

...Respondent

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the second petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.03 dated 08.01.2024 registered under Sections 21, 61 of NDPS Act, (offence under Sections 29, 85 of NDPS Act added later on), at Police Station Gharinda, District Amritsar Rural, Punjab.

2. Learned counsel for the petitioner contends that the petitioner was neither named in the FIR nor any recovery was effected from him during the course of investigation. He further contends that the entire recovery was effected from Amandeep Singh @ Meeda and nothing was recovered from the petitioner. Thus, the case of the petitioner is clearly distinguishable from the case of Amandeep Singh @ Meeda, main accused. Learned counsel further contends that the petitioner was earlier released on bail on 04.07.2024. However, bail bonds were found to be fake and his bail order was cancelled by the



trial Court. Thereafter, the petitioner himself surrendered on 30.01.2025 and is in custody since then.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present 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. In the present case, the petitioner was earlier granted the concession of bail on 04.07.2024, after serving the custody of about 05 months and 24 days. Thereafter, the petitioner had furnished the fake surety bonds before the trial Court and his bail order was cancelled. But now, the petitioner is again stated to be in custody since 30.01.2025. Further no witness has been examined by the prosecution so far and the trial is not likely to conclude in near future.

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, 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.*

25.03.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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