



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

CRM-M-15859-2025

Date of Decision:06.05.2025

Vijay Kumar

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : Mr. Naveen Sharma, Advocate
for the petitioner.

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

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of B.N.S.S with a prayer to grant regular bail to him in case FIR No. 195, dated 12.09.2024, registered under Sections 115(2), 126(2), 132, 220, 109, 351(1), 191(3), 190 of B.N.S, 25,54,59 of Arms Act, Section 21 of NDPS Act, Police Station Sadar, District Ludhiana (Annexure P-1).

2. Learned counsel for the petitioner contends that no such incident had taken place in the present case. In fact, the police party had entered the house of the petitioner on the pretext of searching Munish Kumar, who was wanted in some criminal case in Karnal. Even no person had attacked the police party and rather the police party had fired shots to intimidate the family members of the petitioner. Later on, the F.I.R was got registered by the complainant after concocting a false story and 57 grams of heroin was planted on the present petitioner. Even, similarly placed co-accused Mohit Kumar @ Mohit Kumar Hira has been granted the concession of bail by this Court vide

order dated 13.02.2025 (Annexure P-3). The petitioner was arrested in the present case on 12.09.2024 and after completion of the investigation, the challan has already been presented against him.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner.

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

5. The petitioner is in custody since 12.09.2024 and the challan has already been presented against him. Even no police official had suffered any injury in the present case and the trial is not even formally commenced. Thus, further custody of the petitioner will not serve any meaningful purpose.

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

06.05.2025
hitesh

(N.S.SHEKHAWAT)
JUDGE

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