



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

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CRM-M-20928-2025(O&M)

Date of Decision: 28.04.2025

SURINDER SINGH ALIAS SAWINDER SINGH ALIAS SHINDA

....Petitioner

VERSUS

STATE OF PUNJAB

....Respondent

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Raghav Soni, Advocate for the petitioner.

Ms. Swati Batra, DAG, Punjab.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No.69 dated 19.03.2021 registered under Sections 22, 29 of Narcotic Drugs & Psychotropic Substances Act, 1985 at Police Station Mazbool Pura, District Amritsar. He was arrested and granted concession of regular bail by the Court of learned Session Judge, Amritsar vide order dated 18.06.2021. Subsequently, challan was presented in the Court in his absence. Proceedings under Section 82 of Cr.P.C. were initiated and he was declared a proclaimed person on 20.07.2024. He was again arrested on 12.10.2024 and is in custody since then.

2. It is argued by learned counsel for the petitioner that he could not appear before the learned trial Court as he never received notice from the said Court. He was not aware about the factum of the presentation of the challan. He is in custody since long. He is ready to abide by terms and conditions to be imposed upon him. Accordingly, it is urged that petition deserves to be allowed.

3. *Per contra*, learned State counsel who has advance notice of the petition has submitted that there are serious and specific allegations against the



petitioner. He had intentionally absented from the learned trial Court and was rightly declared a proclaimed person. There are chances of his absconding again, if extended benefit of bail. Therefore, it argued that petition does not deserve to be allowed.

4. The petitioner was previously extended benefit of regular bail. He had subsequently absented and was declared a proclaimed person. Now he is in custody since 12.10.2024. The trial will take time to conclude since only one witness out of 12 witnesses has been examined so far.

5. Keeping in view the period of incarceration of the petitioner and the attendants facts and circumstances but without meaning to make any comment on the merits of the case, lest the same prejudices to trial, I am of the considered opinion that petitioner deserves to be released on bail. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing fresh personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate/CJM concerned.

6. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

28.04.2025
Deepak Patwal

(MANISHA BATRA)
JUDGE

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| 1. | <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| 2. | <i>Whether reportable</i> | <i>Yes/No</i> |