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

CRM-M-25072-2025

Date of Decision:21.07.2025

PARAS SAHNI ALIAS JAANA

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

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

Present : Mr. Gagandeep Singh Pawar, Advocate &
Ms. Shabnam Mahajan, 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 BNSS with a prayer to grant regular bail to him in case FIR No.34 dated 01.03.2025, registered under Sections 21, 29, 61 and 85 of NDPS Act, Police Station Sadar, Ludhiana.

2. The FIR in the present case was got registered by Davinder Singh son of Sohan Lal and as per the said FIR, the petitioner and his co-accused Sahil Sahni @ Nanna were apprehended by the police on 01.03.2025 and they were found in possession of 50 grams of heroin, without any permit or licence. Learned counsel submits that the said quantity falls within the ambit of 'non-commercial' quantity and the rigours of Section 37 of the NDPS may not apply



to the facts of the present case. He further contends that Sahil Sahni @ Nanna has already admitted to bail by the Court of Additional Sessions Judge, Ludhiana. The petitioner is in custody for the last more than 04 months and challan has been presented against him.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that there are 03 more cases against the petitioner including 02 cases of NDPS Act 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 carefully.

5. In the present case, the petitioner is in custody for the last 04 months and the recovery of contraband from his possession falls within the ambit of 'non-commercial' in nature. Moreover, Sahil Sahni @ Nanna has already been admitted to bail by the Court of Additional Sessions Judge, Ludhiana and the case of the petitioner is at par with him. Thus, the further custody of the petitioner will not serve any useful 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 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 is involved 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.

7. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to him shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

21.07.2025
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(N.S. SHEKHAWAT)
JUDGE

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