



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

CRM-M-25087-2025

Date of Decision:14.05.2025

Sukhwinder Singh @ Karma

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : Mr. P.S Sekhon, Advocate with
Mr. Sajanpuneet Singh, Advocate
for the petitioner.

Mr. Ravneet Singh Joshi, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 of Cr.P.C (483 of B.N.S.S) with a prayer to grant regular bail to him in case FIR No. 15, dated 30.03.2021, registered under Sections 22,27-B and 29 of NDPS Act, Police Station Thulliwal, District Barnala (Annexure P-1).

2. Learned counsel for the petitioner contends that in the present case Nek Singh and Major Singh were initially arrested with huge quantity of contraband. The petitioner was neither named in the FIR nor he was present at the place of recovery, however, he was nominated as an accused on the basis of the disclosure statement suffered by his co-accused. He further contends that Nek Singh, co-accused has been granted the concession of bail by this Court vide order dated 19.10.2023 (Annexure P-4). Apart from that, Gurcharan Singh @ Kala @ Golu has also been granted the concession of bail by this Court on 16.03.2023 (Annexure P-3). Apart from that, another similarly placed co-

accused Raj Singh @ Raju has been granted the concession of interim anticipatory bail by this Court on 07.03.2025. The petitioner was arrested in the present case on 16.09.2024.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that 03 more cases under the provisions of NDPS Act were ordered to be registered against the present petitioner, however, the petitioner on bail in all 03 cases.

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

5. It is not in dispute that the one of the principal accused namely Nek Singh has been admitted to bail by this Court. Apart from that, co-accused namely Gurcharan Singh @ Kala @ Golu, Rashid and Raj Singh @ Raju have also been granted the concession of bail by this Court. The petitioner is in custody since 16.09.2024 and 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 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.

14.05.2025
hitesh

(N.S.SHEKHAWAT)
JUDGE

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