



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

224

CRM-M-29975-2024

RESHU

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CRM-M-28773-2024

MANGAT DEEN ALIAS MANGA

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

Decided on : 23.07.2025

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Pushp Jain, Advocate,
for the petitioner (in CRM-M-29975-2024), and
Mr. Deepak Aggarwal, Advocate,
for the petitioner (in CRM-M-28773-2024).

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH, J.

1. This common order shall dispose of above mentioned two petitions.
2. Petition i.e. CRM-M-29975-2024 has been filed by the petitioner namely Reshu, for grant of regular bail, in case, FIR No.23 dated 28.03.2023, under Sections 22, 61 of NDPS Act (Section 29 of NDPS Act added later on), registered at Police Station Bakshiwala, District Patiala.



3. Petition i.e. CRM-M-28773-2024 has been filed by the petitioner namely Mangat Deen @ Manga, for grant of regular bail, in case, FIR No.23 dated 28.03.2023, under Sections 22 and 29 of NDPS Act, registered at Police Station Bakshiwal, District Patiala.

4. Counsel for the petitioners submits that FIR in question was registered against both the petitioners, namely, Reshu (in CRM-M-29975-2024) and Mangat Deen @ Manga (in CRM-M-28773-2024), based on secret information received by the police. It is alleged that recovery was made from their joint possession while they were riding a motorcycle bearing registration No.PB 42 D 7858.

As per the prosecution, upon noticing the police party, petitioner Reshu threw a white bag, which was placed between both petitioners, into the nearby fields. Upon checking the bag, 2,500 loose intoxicating tablets were recovered, which were later confirmed to be tramadol hydrochloride.

5. It is submitted by counsel for the petitioners that petitioner Mangat Deen @ Manga, aged 35 years at the time of recovery, has no previous involvement in any similar case, except one under the Excise Act.

As far as petitioner Reshu, aged 28 years, is concerned, he has no prior criminal record of any nature. Petitioners were taken into custody, with petitioner-Reshu being in jail since 11.10.2023 and petitioner-Mangat Deen @ Manga since 28.03.2023. Charges in the case were framed on 22.11.2023, and out of the total 12 prosecution witnesses, only 2 were examined, before both petitioners were granted interim bail,



vide order dated 11.11.2024. The interim bail was primarily granted to observe the progress of the trial and the conduct of the petitioners while out on bail.

6. It is further submitted that after grant of interim bail by this Court on 11.11.2024, only 03 additional prosecution witnesses have been examined, with 08 witnesses still left to be examined. During the entire period of interim bail, both petitioners have regularly appeared before the trial court on all dates and have not misused the concession in any manner. Counsel for the petitioners argues that although the FIR was registered on 28.03.2023, more than 2 years and 4 months have passed, and delay in the trial proceedings cannot be attributed to the petitioners. Nearly all the witnesses are Government officials who are expected to appear promptly to aid in the expeditious conclusion of the trial.

7. Further submits that allegations regarding the recovery of loose tramadol tablets, allegedly thrown by petitioner-Reshu into the fields upon seeing the police, remain to be thoroughly scrutinized and proved by the trial court through a comprehensive and analytical evaluation of evidence, which is still pending. Neither of the petitioners is involved in any other case under the NDPS Act or any serious offence, except for the aforementioned Excise Act case against petitioner Mangat Deen @ Manga. Given that 08 prosecution witnesses remain to be examined and there has been no misuse of bail conditions, since 11.11.2024, it is contended that continued incarceration of the petitioners would amount to an undue curtailment of their personal liberty, which cannot be permitted for an indefinite period.



8. On the other hand, learned State counsel is unable to dispute the factual assertions made by counsel for the petitioners today before this Court. However, he vehemently opposes for grant of bail to the petitioners in the present case.

9. This Court has heard the submissions addressed by counsel for the parties and also gone through the record.

10. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, this Court deems it appropriate to grant the concession of bail to the petitioners, as personal liberty of the petitioner cannot be curtailed for an indefinite period.

11. Consequently, prayer made in both the present petitions are **allowed**. Petitioners are ordered to be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

12. Needless to observe that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

13. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.



14. It is further made clear that if, in future, petitioners are directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

15. Petitions stand disposed of.

16. A photocopy of this order be placed on the file of other connected case.

(SANJAY VASHISTH)
JUDGE

23.07.2025

Lavisha

Whether Speaking/Reasoned: YES/~~NO~~
Whether Reportable: ~~YES~~/NO