



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

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**CRM-M No.31575 of 2025
Date of decision : 16.6.2025**

Mani Ram**.....Petitioner****Versus****State of Punjab****.....Respondent****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Bakul Garg, Advocate, for the petitioner

Mr. Adhiraj Singh Thind, AAG Punjab

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.79 dated 4.7.2020, under Sections 22, 29, 61, 85 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), registered at Police Station Cheema, District Sangrur.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'Copy of ruqa main Officer Police Station Cheema, Fateh, Today with Sandeep Kumar 234/Sang [C.S.I.](#) Amritpal Sidhu 801 was riding a government vehicle number PB 13 AR 6202, driver Constable Kuldeep Singh 1514, along with a laptop, printer and a series of patrols and checks. In relation to the suspicious men, the time would be around 3.30 11 am. The informant came to me in isolation and informed me that Mani



Ram, son of Shera Ram, resident of Ward No. 8, Gujha Pir Namel Road, Sunam, who is addicted to selling narcotic pills. Even today, he will go towards village Sera and village Cheema to sell narcotic pills to his customers on a Bajaj Paltina motorcycle, color black, number PB-13S-7316. If a blockade is made on Sera-Cheema Road in a planned manner now, Mani Ram can be arrested along with a large quantity of narcotic pills. The information is solid and reliable. Mani Ram has been arrested by his Possession/sale of narcotic pills is an offence under Section 22/61/85 of the NDPS Act. Therefore, the accused, Mani Ram, has been arrested for the offence of typing the above and taking a printout of it. Amritpal Singh 801/Sang: I am sending him to the police station Cheema. For further investigation, a competent officer should be sent along with the police party. A case should be registered and the case number should be informed. Control Room Sangrur should be informed: I am conducting a thorough investigation along with my fellow employees. Correct/- Jagtar Singh ASI Anti Narcotics Cell Sangrur Date 04.07.2020.'

3. Learned counsel for the petitioner has argued that the petitioner is implicated into the FIR in question falsely. Learned counsel has submitted that, assuming *arguendo*, the prosecution case is taken to be correct, the allegations against the petitioner pertains to non-commercial quantity. Learned counsel for the petitioner has further submitted that the petitioner earlier could not appear before the concerned Court on account of the circumstances beyond his control as he was suffering from ailment, including heart related issues. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 15.6.2025 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the



available records of the case.

6. It is not in dispute that the petitioner was earlier granted the concession of interim bail and the same has not been misused by him except to the effect that the petitioner has absented himself. However, it is not in dispute that the petitioner is in custody since 28.1.2025. The rival contention raised by learned counsel for the parties give rise to debatable issues which shall essentially be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence. As per the custody certificate dated 15.6.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of about three months and three days.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.



- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

16.6.2025
Ashwani

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