

S. No.216

2025:PHHC:108800



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-36858 of 2025

Date of Decision:20.08.2025

Inderbeer Singh @ Inderveer

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present:- Mr. Gurjant Singh Bhullar, Advocate for
Mr. Manpreet Singh Dua, Advocate
for the petitioner.

Mr. Rahul Jindal, AAG, Punjab.

Yashvir Singh Rathor, J. (Oral)

1. This is first petition filed under Section 439 Cr.P.C for grant of regular bail to the petitioner in case FIR No.115 dated 23.07.2022 registered under Sections 18, 29, 61, 85 of NDPS Act, at Police Station City Sarhali, District Tarn Taran, Punjab.

2. As per prosecution case, two persons, namely, Shamsher Singh and Simranjit Singh were arrested on 23.07.2022 and 100 grams of opium was recovered from them which falls within non-commercial quantity. Petitioner was nominated as an accused by Simranjit Singh in his disclosure statement and he was arrested on 30.08.2024 and it was alleged that the opium was purchased from him. After completion of investigation, challan has been presented for trial.

3. Learned counsel for the petitioner contends that the petitioner has not been named in the FIR and he was nominated as an accused in the disclosure statement suffered by co-accused Simranjit Singh from whom recovery was



effected. Nothing has been recovered from possession of the petitioner. Learned counsel has contended that the disclosure statement of co-accused is not admissible in evidence and cannot be used against the petitioner. Petitioner is in custody since 30.08.2024 and his further detention is not required. The trial is likely to take a long time to conclude and benefit of regular bail be extended in his favour.

4. On the other hand, learned State Counsel has opposed the bail petition and sought its dismissal in view of the gravity of the offence and the fact that he has been arrested after a long period in the year 2024 and was declared a Proclaimed Offender vide order dated 16.04.2024.

5. The main accused in whose disclosure statement, the petitioner was nominated as an accused, has already been released on bail by the learned trial Court vide order dated 16.08.2022 (Annexure P.3). No recovery has been effected from the petitioner and he is in custody since 30.08.2024. Trial is likely to take sufficiently long time to conclude. Merely because he has been arrested after a gap of two years is no ground to decline the bail. Rather, stringent conditions can be imposed to secure his presence during the trial and the petitioner is entitled to be released on bail.

9. Having regard to the aforesaid factual position, but without commenting anything upon the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bond and surety



bond to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(Yashvir Singh Rathor)
Judge

August 20, 2025
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Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No