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

CRM-M-40716-2025

Date of Decision:04.08.2025

DEEPAK KUMAR

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

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

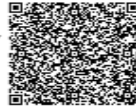
Present : Mr. Arshit Goel, Advocate
for the petitioner.

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.68 dated 27.03.2025, registered under Section 21(c) of NDPS Act, 1985 (Section 29 of NDPS Act, 1985 added later on), Police Station Division No.8, District Police Commissionerate, Jalandhar.

2. Learned counsel for the petitioner contends that the petitioner was neither named in the FIR nor any recovery was effected from him. He further contends that the petitioner has been implicated in the present case only on the basis of the disclosure statement made by Gagan Batra @ Gagan, the main accused. Even in his alleged disclosure statement, Gagan Batra @ Gagan stated that he used to sell the heroin to the petitioner and William Bittu @ Bittu.



Except the disclosure statement, there is no other evidence against the petitioner. Even the petitioner was taken in custody on 27.03.2025 and no recovery was effected from him. The investigation is almost complete and challan is likely to be presently shortly.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court. However, he admits that the petitioner is a first offender.

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

5. In the present case, the petitioner is stated to be in custody for the last more than 04 months and no recovery was effected from him. Even, the admissibility of evidence collected by the prosecution is yet to be adjudicated before the trial Court. 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 and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

04.08.2025
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(N.S. SHEKHAWAT)
JUDGE

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