

255

2025:PHHC:108134



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

**CRM M-43693 of 2025
Date of Decision: 19.08.2025**

Amir Khan

...Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Ms. Ramandeep Kaur, Advocate
for the petitioner (through V.C.).

Mr. I.P.S. Sabharwal, DAG, Punjab.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of B.N.S.S., 2023 with a prayer to grant a regular bail in case FIR No.13 dated 20.05.2021 registered under Sections 21 and 22 of Narcotic Drugs and Psychotropic Substances Act 1985 and Section 25 of Arms Act 1959 at Police Station State Special Operation Cell, Amritsar, District Intelligence Wing (WID), Amritsar.

2. Learned counsel for the petitioner contends that as per the case set up by the prosecution on receipt of the secret information,

the co-accused Shauqat Ali and Amir Khan (petitioner) were arrested by the police while they carrying 550 grams of heroin alongwith 20 live cartridges and AK 47. She further contends that the petitioner was arrested in the present case on the basis of the statement suffered by the co-accused in police custody and the petitioner was arrested on 07th April 2025. She further contends that the petitioner has been arrested in the present case after 04 years of arrest of Shaukat Ali, co-accused and no recovery was effected from him. She further contends that in the present case, after completion of investigation, the *challan* has been present against the petitioner.

2. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that there are serious allegations against the petitioner and the petitioner is not entitled for the concession of regular bail.

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

4. In the present case, the petitioner was arrested on 07th April 2025 and no recovery was effected from him. Even, after completion of investigation, the *challan* has been presented against the petitioner. However, the trial has not even formally commenced against him.

5. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the

satisfaction of the learned trial Court/Duty Magistrate/CJM concerned 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 gets involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously and the prosecution shall be at liberty to move an appropriate application for cancellation of bail granted to the present petitioner.

(vii) The concerned Court may insist two heavy local surties and may also impose any other condition, in

*accordance with law, while accepting the bails bonds
and surety bonds of the petitioner.*

19.08.2025
amit rana

(N.S.SHEKHAWAT)
JUDGE

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