



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

CRM-M-43528-2025

Date of Decision:18.08.2025

Surinder Gour @ Surendra Gour

...Petitioner

Vs.

State of Punjab

...Respondent

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

Present : Mr. Harsh Chopra, Advocate with
Mr. Ajay Gehlot, Advocate
for the petitioner.

Mr. Ravneet Singh Joshi, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.16, dated 26.02.2025, registered under Sections 22 (c), 29,27,61,85 of NDPS Act, at Police Station Kabarwala, District Sri Muktsar Sahib (Annexure P-1).

2. Learned counsel for the petitioner contends that the petitioner was not initially named in the FIR and no recovery was effected from him. As per learned counsel, Surinder Singh Baggi and Varinder Singh @ Raman were arrested by the police, while they were carrying 1970 tablets of various narcotics substance. The petitioner was named in the present case on the basis of disclosure statement suffered by by his co-accused and the admissibility of such statement is yet to be adjudicated by the Trial Court, during the course of trial. He further contends that the petitioner was arrested in the present case on

29.05.2025 and is in custody for the last more than two months. Now, after completion of investigation, challan has already been presented against him. He further contends that no witness has been examined so far.

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 petitioner and he does not deserve the concession of bail by this Court.

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 two months and challan has already been presented against him.. The prosecution is yet to lead evidence to prove the involvement of the petitioner in the crime. Moreover, in the present case, no recovery was effected from the petitioner and his case is clearly distinguishable from the case of his co-accused.

6. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

(N.S.SHEKHAWAT)
JUDGE

18.08.2025
hitesh

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