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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-51819-2024 (O&M)
Date of Decision:- 10.01.2025

BAKSHISH SINGH ALIAS BAKSHI SINGH

Versus

....Petitioner(s)

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. C.S. Rana, Advocate for the petitioner.
Mr. Ankit Grewal, DAG Punjab.

SANJIV BERRY, J. (ORAL)
CRM-41491-2024

For the reasons stated in the application, same is allowed.
Exemption is granted.

CRM-M-51819-2024

The instant petition has been preferred by the petitioner under
Section 483 BNSS, 2023 for grant of regular bail to the petitioner in the
following case :-

FIR No.	Dated	Sections	Police Station
108	06.07.2024	22 of the NDPS Act	Sidhwan Bet, District Ludhiana Rural

2. It is, *inter alia*, contended by learned counsel for the petitioner



that the petitioner is innocent and has been falsely implicated in this case. He contends that 50 intoxicant tablets of Klozaps-0.5MD (Clonazepam) had been allegedly recovered from the petitioner and his co-accused Mukhtiar Singh, which as per the FSL report falls within the definition of non-commercial quantity. He further contends that although there are other FIRs pending against the petitioner, however, he is on bail therein. He submits that the petitioner is in custody since 07.07.2024 and the conclusion of trial is likely to take sufficient long time, thus prays for grant of bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the reply submitted by the State has opposed the bail petition by contending that the petitioner had been repeatedly indulging in committing crimes and as such, he does not deserve the concession of bail.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that as per the case of prosecution, petitioner along with co-accused Mukhtiar Singh had been found in joint possession of 50 intoxicant tablets of Klozaps-0.5MD (Clonazepam), which admittedly does not fall within the purview of commercial quantity. Although, the petitioner is involved in other cases, however, in most of the cases, the trial has already been concluded and in remaining cases, he is on bail. The petitioner is in custody since 07.07.2024 and the conclusion of trial to ascertain the criminal liability, if any, of the petitioner, will take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any



longer.

6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. It is further made clear that in case the petitioner is found involved in any case under NDPS Act, after his release on bail, it will be open for the prosecution to move an application for cancellation of his bail in accordance with law.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

9. Pending miscellaneous application(s), if any, stands disposed of.

(SANJIV BERRY)
JUDGE

10.01.2025
S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |