



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

105+211

**CRM-847-2025 in/and
CRM-M-51833-2024 (O&M)
Date of decision: 17.01.2025**

Dharamveer @ Bhola

....Petitioner

V/S

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Imaan Singh Khara, Advocate, for the petitioner.

Mr.Amit Rana, Sr.DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

CRM-847-2025

This application has been filed under Section 528 of the Bharatiya Nagrik Suraksha Sanhita, 2023 for placing on record affidavit dated 08.01.2025 as Annexure P-5 in CRM-M-51833-2024 for the proper adjudication of the case.

For the reasons mentioned in the application, the same is allowed as prayed for. Affidavit dated 08.01.2025 as Annexure P-5 is ordered to be taken on record, subject to all just exceptions.

CRM-M-51833-2024

1. The petitioner is seeking the concession of regular bail under Section 483 of the Bharatiya Nagrik Suraksha Sanhita, 2023 in case FIR No.56 dated 13.07.2024 under Sections 22 (Section 29 added later on vide DDR No.16 dated 14.07.2024) of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Rureke Kalan, District Barnala.



2. Learned counsel for the petitioner submits that the petitioner has been in custody since 29.07.2024 in an apparent case of false implication. The petitioner was not apprehended at the spot with co-accused, who had allegedly thrown a polythene bag containing 880 tablets of Tramadol rather he came to be nominated as an accused pursuant to disclosure statement allegedly suffered by co-accused Sukhdev Ram. It has been contended that the disclosure statement which has been suffered by the co-accused Sukhdev Ram holds little evidentiary value and on this ground alone the petitioner deserves to be extended the concession of bail since there is no possibility of the trial concluding in the near future.

3. Per contra, learned State counsel has vehemently opposed the prayer and submissions made by the counsel opposite, by submitting that no doubt the disclosure statement allegedly suffered by co-accused Sukhdev Ram may not hold sufficient evidentiary value, however, when seen in the light of the contents of the disclosure statement that the petitioner was the supplier of the recovered contraband, his involvement in 16 other criminal cases including 02 convictions under the NDPS Act and 06 cases in which he is facing trial for various offences under the NDPS Act as also his involvement in few cases under the Excise Act, leaves no manner of doubt that he indeed was an active participant and was actively involved in drugs smuggling. Learned State counsel has submitted that it is also a matter of record that while the petitioner was on bail in some other criminal cases which were already pending against him, when he was yet again involved in the present case which also indicated that the petitioner



had misused the liberty which has been granted to him. A vehement prayer has been made by the learned State counsel for dismissal of the instant petition keeping in view the pendency of the number of cases under the NDPS Act against the petitioner as there is every likelihood that he could yet again be involved in drug trafficking.

4. I have heard learned counsel for the parties and perused the relevant material placed on record.

5. The petitioner has been in custody only since 29.07.2024. As per instructions received by the learned State counsel, the petitioner is involved in the following cases:-

“1. FIR No.07 dated 19.01.2021 under Sections 22, 25, 61, 85 of the NDPS Act, registered at Police Station Tapa.

2. FIR No.109 dated 02.11.2022 under Sections 22, 61, 85 of the NDPS Act, registered at Police Station Tapa.

3. FIR No.27 dated 07.04.2024 under Sections 22, 29, 61, 85 of the NDPS Act, registered at Police Station Rureke Kalan.

4. FIR No.30 dated 18.04.2024 under Sections 22, 29, 61, 85 of the NDPS Act, registered at Police Station Rureke Kalan.

5. FIR No.284 dated 25.11.2023 under Sections 22-B, 25, 27, 29, 61, 85 of the NDPS Act, registered at Police Station City-II, Mansa.”



6. The charges have already been framed in the present case, and even the prosecution evidence is underway. As a result, the trial is progressing at a steady pace, with a strong likelihood that it will be concluded without significant delay. Consequently, this Court does not deem it fit to grant the concession of bail to the petitioner, particularly given that the petitioner comes across as a habitual offender and the alarming prevalence of drug trafficking and smuggling in this part of the country.

7. Accordingly, the instant petition is hereby dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

January 17, 2025
poonam

(MANJARI NEHRU KAUL)
JUDGE

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