

256

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-56655-2024 (O&M)
Date of Decision:- 08.05.2025

LOVE KHOKHAR

Versus

....Petitioner(s)

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. R.K. Saini, Advocate for the petitioner.
Mr. Iqbalpreet Singh, AAG Punjab.

SANJIV BERRY, J. (ORAL)

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
26	19.03.2024	21(b) of the NDPS Act; (29 and 27-A NDPS Act and 25 Arms Act added later on)	Kalanaur, District Gurdaspur

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 no contraband has been recovered from the petitioner and as per the allegations he was rider of the motorcycle. He submits that the petitioner is in custody since 19.03.2024 and after the completion of



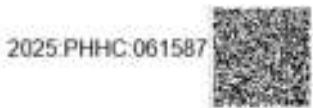
investigation, challan has been presented in Court. He submits that the conclusion of trial will take sufficient long time. Thus prays for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the reply filed by the State has opposed the petition on the ground that the petitioner is actively involved in the offence and he was apprehended along with co-accused and 115 grams of heroin was recovered from their possession. He further submits that consequent upon the disclosure of the petitioner ₹92,000/- drug money along with two pistol 32 bore, 3 magazine and 20 live cartridges were recovered. Thus prays for dismissal of the petition.

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

5. After considering the rival contentions and perusing the record, it transpires that on 19.03.2024 on receipt of secret information, the police party apprehended the petitioner along with his co-accused Chatar Singh and upon checking, 115 grams of heroin was effected from their conscious possession. During investigation, the petitioner allegedly got recovered ₹92,000/-, two pistol 32 bore, 3 magazine and 20 live cartridges. After the completion of investigation, challan has been presented in Court, wherein the prosecution has cited 16 witnesses, however, only one witness has been examined till date. The criminal liability, if any, of the petitioner, could only be determined after the conclusion of trial, which may 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 again found involved in any case under NDPS Act, in future, 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

08.05.2025
S.Sharma(syr)

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