



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

241

CRM-M-56516-2025
Date of decision: 27.11.2025

MISTAR ALI ALIAS ALI

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. V.K. Sharma, Advocate for the petitioner.

Mr. Gorav Kathuria, DAG Punjab.

YASHVIR SINGH RATHOR. J.(Oral)

1. Present petition under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed for grant of regular bail to the petitioner in case FIR No.266 dated 20.11.2020, under Section 20 of NDPS Act, registered at Police Station Division No.7, Jalandhar, District Police Commissionerate Jalandhar.
2. I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.
3. Learned counsel for the petitioner contended that petitioner was facing the trial in the aforesaid case but had absented on 25.09.2024. An application for exemption from personal appearance was also moved on his behalf but the same was declined and bail was cancelled. Thereafter, he was declared proclaimed offender and has been arrested again on 13.05.2025. Learned counsel further contended that as per version of petitioner, he was away to West Bengal which is his native place, as his parents were ill and his father had died in April 2025 and thereafter, he returned to Punjab, when he was arrested. Learned counsel



next contended that now, the trial has matured and has reached the stage of recording of statement under Section 313 Cr.P.C and as such no useful purpose will thus be served by detaining the petitioner in custody any more and he may be released on bail.

6. On the other hand, learned State Counsel has opposed the bail and argued that in view of the gravity of the offence, petitioner does not deserve the concession of bail.

7. No doubt petitioner was declared proclaimed offender and he has hampered the trial but now he is in custody since 13.05.2025. The trial has matured and reached the stage of recording of statement under Section 313 Cr.P.C. The trial is likely to take sufficiently long time to conclude and no useful purpose will thus be served by detaining the petitioner in custody anymore and he deserves to be released on bail. However, trial Court may impose stringent conditions before releasing the petitioner on bail.

8. Having regard to the aforesaid factual position, but without commenting anything upon the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court concerned, on usual terms and conditions.

27.11.2025
amandeep

(YASHVIR SINGH RATHOR)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No