

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:065065



221

CRM-M-57819-2024
Date of decision:15.05.2025

Sagar

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE N.S. SHEKHAWAT.

Present: Mr. Deepender Singh, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

...

N.S. Shekhawat, J. (Oral).

1. The petitioner has filed the present petition under Section 483 BNSS with a prayer to grant regular bail to him in case FIR No.334, dated 22.06.2023, under Sections 22 (c) of the NDPS Act (Section 29 NDPS Act was added later on), registered at Police Station Hisar Civil Lines, District Hisar.

2. The FIR in the present case was initially registered against Rohan @ Moni, who was found carrying 120 bottles of Codeine Phosphate Chlorpheniramine Maleate Syrup Wincrex Cough Syrup without any permit or license and was arrested on 22.06.2023. As per the prosecution, Rohan @ Moni suffered a disclosure statement and nominated the petitioner as one of the co-accused in the present case. Ultimately, the petitioner was also arrested on 07.11.2023.

3. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case only on the ground of exchange of calls between the petitioner and his co-accused. Even after his arrest, no contraband was recovered from him. Now after his arrest, challan has been presented against him and there is a remote possibility of early conclusion of the trial. He further contends that similarly placed co-accused Shiva @ Ashu has been granted concession of bail by this Court on 28.04.2025 in CRM-M-9245-2025.

4. Learned State counsel opposed on the ground that one more case of similar nature was ordered to be registered against the petitioner. However, it is an admitted fact that the proceedings in the said case has been stayed by this Court.

5. I have heard learned counsel for the parties and perused the records carefully.

6. The petitioner is in custody since last 01 year and 07 months, whereas no recovery was effected from him. The report under Section 173 Cr.P.C. has been presented against him and the conclusion of trial may take quite a long time. Even similarly, placed co-accused, Shiva @ Ashu has been granted the concession of bail.

7. 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 subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with

the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner is involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

8. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to him shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

(N.S. SHEKHAWAT)
JUDGE

15.05.2025

harjeet

Whether speaking/reasoned :

Yes/No

Whether reportable :

Yes/No