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

CRM-M-60392-2024**Date of Decision: 03.03.2025**

Manpreet Singh

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Subhash Aggarwal, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.0344 dated 13.07.2020 registered under Sections 22, 22-C, 29, 61, 85 of NDPS Act, and Sections 7, 13 of PC Amended Act, 2018 and Sections 465, 468, 470, 471 & 120-B of IPC, at Police Station City Barnala.

2. Learned counsel for the petitioner contends that the FIR in the present case was initially registered against Pallo Kaur, from whom the intoxicant tablets were recovered. During the course of investigation, the accused, Gaurav Aggarwal and Dhirender Singh Rathore were arrested by the police and huge recoveries of contraband were made from them. During the course of interrogation, Dhirender Singh Rathore made a disclosure statement that he, Jatinder Arora, Harish Kumar Bhatia @ Raju Sachdeva and Gaurav Aggarwal used to supply lot of narcotics to Sai Medicose Gill road Moga, Chawla Medical, Ferozepur and Raghu Raja. Learned counsel further contends



that the petitioner was arrested in the present case on 05.09.2024 and after his arrest, no recovery was effected from him. He further contends that now the investigation against him is complete and the challan has been presented before the Court of law.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that two more cases were ordered to be registered against the present petitioner and he is a habitual offender.

4. I have heard the learned counsel for the parties and perused the record.

5. No doubt, two other criminal cases have been registered against the petitioner, but the petitioner cannot be denied the concession of bail in the present case only on that ground because the petitioner has been able to make out a case for grant of bail in the peculiar facts and circumstances of the present case. The reliance can be placed on the law laid down by the Hon'ble Supreme Court in the matter of "***Prabhakar Tewari Vs. State of U.P., and another***" 2020(1) R.C.R. (Criminal) 831, wherein it has been held that the pendency of several criminal cases against the accused cannot be the basis to refuse the prayer of bail. Similar observations have been made by the Hon'ble Supreme Court in the matter of "***Maulana Mohd. Amir Rashadi Vs. State of U.P., and another***" 2012(1) R.C.R. (Criminal) 586. The petitioner was arrested in the present case on 05.09.2024 and is in custody for the last about 06 months. Even, challan has been presented against him but no witness has been examined so far.



6. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned, 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 involves 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.*
- (viii) The petitioner shall report every 1st Monday in English calander month to the concerned SHO till the conclusion of the trial and SHO shall mark his presence by making an entry in the*

rojnamcha. In case, he does not report on every 1st Monday to the concerned SHO, it shall be viewed seriously and the concession granted to him shall be liable to be cancelled and the State of Punjab shall be at liberty to move an appropriate application in this regard.

03.03.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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