

CRM-M-62011-2024

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

**CRM-M-62011-2024**

Date of Decision: 04.11.2025

Dharamvir Singh @ Bhola

..... Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

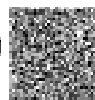
Present: Mr. Navdeep Chhabra, Advocate for the petitioner.

Mr. J.S. Arora, DAG, Punjab.

**Rajesh Bhardwaj, J. (ORAL)**

1. Petitioner has approached by way of filing the present fifth petition praying for grant of regular bail in case FIR No.56 dated 28.09.2019 under Sections 21, 22, 25 of NDPS, 1985 and Section 25 of Arms Act, (Sections 29 of NDPS Act and Sections of 181, 192 of Motor Vehicles Act added lateron), registered at Police Station Sadar Kurali, District Mohali.

2. Succinctly, facts of the case are that on 28.09.2019, the police party received a secret information to the effect that Dharamvir Singh @ Bhola (petitioner) is involved in selling and buying heroin and intoxicant injections. It was informed that he has kept the contraband in his white coloured Scorpio car, which is parked in his animal shed farm. In case of raid, he could be arrested alongwith the contraband. On receiving the secret information, a raiding team was constituted and house of Dharamvir Singh @ Bhola was raided, from where 28 injections of Buprenorphine, 28 injections of Avil and 35 grams of heroin alongwith Rs.3,15,000/- as drug money and one pistol were recovered. He failed to produce any licence regarding the possession of the same and thus, on registration of the FIR, he was arrested on the spot. The investigation commenced. He approached the Court of learned Judge, Special Court, SAS Nagar praying for grant of



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regular bail. After hearing both the sides, learned Court declined the same vide order dated 19.11.2019. Hence, the petitioner has approached this Court praying for grant of regular bail by way of filing the present petition. During the pendency of the present petition, he was granted interim bail vide order dated 16.12.2024 and since then he is on interim bail.

3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. He submits that the petitioner was granted interim bail by this Court vide order dated 16.12.2024 and he has never misused the concession of interim bail granted to him. It is submitted that the FIR has been lodged against the petitioner on the basis of secret information, but there is violation of Section 42 NDPS Act. He submits that the alleged recovery has been effected from a public place, however, no independent witness has been joined and there is a violation of Section 50 of the NDPS Act as well. He submits that though the petitioner was prosecuted in four other cases, however, he is on bail on those cases. It is submitted that till date, the trial is in progress and majority of the witnesses, are yet to be examined. He has further submitted that in all there are three accused, out of them, two accused are already on bail. He, thus, submits that the interim bail granted to the petitioner deserves to be made absolute.

4. Status report by way of affidavit of Mohit Kumar Agarwal, PPS, Superintendent of Police, Sub Division Mullanpur, District SAS Nagar (Mohali), has already been filed. Learned State counsel has submitted that the petitioner has been specifically named in the secret information. On instructions, he has submitted that out of total 30 prosecution witnesses, 20

witnesses remain to be examined. Custody certificate of the petitioner has also been placed on record.

5. Heard. It is apparent that the petitioner in on interim bail since 16.12.2024. There is nothing on record to show that the petitioner has ever misused the concession of interim bail granted to him. The custody certificate of the petitioner would reveal that the petitioner has already suffered incarceration of 11 months and 05 days in the present case before the grant of his interim bail.

6 However, in the facts and circumstances of the present case, the interim bail granted to the petitioner vide order dated 16.12.2024, is made absolute subject to his already furnished surety/bail bonds before the trial Court and the same shall be treated as alive till the final disposal of the trial. The petitioner is directed to keep on appearing before the trial Court as and when required to do so and also to comply with the direction of the trial Court given by it during the pendency of the trial.

7. The present petition stands allowed and pending application, if any, stands disposed of.

04.11.2025

sharmila

Whether Speaking/Reasoned :  
Whether Reportable :

(RAJESH BHARDWAJ)

JUDGE

Yes/No  
Yes/No