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

CRM-M-62320-2024

Date of Decision:10.07.2025

JODHBIR SINGH ALIAS JODHA

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

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

Present : Mr. Vipin Mahajan, Advocate
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

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.19 dated 27.01.2024, registered under Sections 21, 25, 29, 27-A of NDPS Act, 1985, Police Station Gharinda, District Amristsar.

2. Learned counsel for the petitioner submits that the petitioner was not initially named in the FIR, nor there was any other evidence to connect him with the alleged recovery of contraband from Jarman and Akash, co-accused. It has been alleged that during the course of investigation, Jarman suffered a disclosure statement and the petitioner and his brother Lovepreet Singh @ Love were arrayed as accused in the instant case. After their arrest, a recovery of 200 grams of heroin was effected from their house and they were arrested on



28.01.2024. Learned counsel further submits that Lovepreet Singh @ Love has been granted the concession of bail by a co-ordinate Bench of this Court on 10.09.2024 in CRM-M-32302-2024.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that 200 grams of heroin was recovered from the house of the petitioner and Lovepreet Singh @ Love. Moreover, the petitioner is involved in two more criminal cases and he does not deserve the concession of bail by this Court.

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

5. In the present case, the challan has already been presented against the petitioner and no witness has been examined so far. Vide order dated 10.09.2024 passed in CRM-M-32302-2024, Lovepreet Singh @ Love, a similarly placed co-accused has been granted the concession of bail by co-ordinate Bench of this Court. Thus, the further custody of the petitioner will not serve any useful purpose.

6. 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.

7. 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.

10.07.2025
vipin

(N.S. SHEKHAWAT)
JUDGE

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