

2025:PHHC:012912



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

227

CRM-M No.64768 of 2024  
Date of Decision: 28.01.2025

Baljinder @ Moonga ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Jagdish Singh Mahal, Advocate,  
for the petitioner.

Ms. Himani Arora, AAG, Punjab,  
for the respondent-State.

\*\*\*

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

| FIR No. | Dated      | Police Station                   | Sections                                                                                                                        |
|---------|------------|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| 82      | 15.06.2024 | Dinanagar, District<br>Gurdaspur | 304 and 120B of IPC<br>and 27 and 29 of<br>Narcotic Drugs and<br>Psychotropic Substances<br>Act, 1985 (For short<br>“NDPS Act”) |

2. Adumbrated facts as emanating from the record are that the aforementioned FIR had been registered on the basis of a written

2025:PHHC:012912



complaint filed by the complainant Ram Krishan Manhotra alleging that his son Prince Manhotra was a drug addict and was under treatment for sometime. On 14.06.2024, his son had left home at about 3 PM. Subsequently, intimation was received about his dead body lying at a road. While alleging that the victim had told him that he used to procure contraband from the present petitioner and co-accused and that all of them in conspiracy with each other had sold contraband to his son due to consumption of which he had died, the complainant prayed for taking action in the matter. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 27.07.2024. Investigation stands concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of vague and general allegations. The deceased himself was a drug addict and had died due to consumption of morphine. He did not have any hand in providing any narcotic substance to the deceased and in consumption thereof by him. He is in custody since 27.07.2024. The trial is likely to take time. The co-accused Santosh Kumari, Gulshan @ Toni, Darshan Lal and Reeta have been extended benefit of bail. On parity, he too deserves to be extended same benefit. Hence, it is urged that the petition deserves to be allowed.

4. Status report has been filed by the respondent-State. It is argued by learned Assistant Advocate General, Punjab that there are serious allegations against the petitioner. He has criminal antecedents and, therefore, it is urged that he does not deserve to be extended benefit of bail.

2025:PHHC:012912



5. I have heard learned counsel for the parties at considerable length and have gone through the record.
6. The petitioner is in custody since 27.07.2024. The allegations against him are not specific but general in nature. There is nothing on record to suggest that he had supplied any narcotic substance to the victim on the fateful day. Trial is likely to take time. The co-accused whose case is on similar footing have since been extended benefit of bail. In view of the above discussed facts but without meaning to make any comment on the merits of the case, I am of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

28.01.2025  
manju

(MANISHA BATRA)  
JUDGE

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |