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

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CRM-M-63098-2025 (O & M)

Date of decision: 03.12.2025

ASI ASHOK KUMAR

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Parminder Singh Sekhon, Sr. Advocate with
Mr. Rajdeep Singh Gill, Advocate,
for the petitioner.

Mr. Manipal Singh Atwal, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 BNSS is for grant of regular bail to the petitioner in case FIR No.75 dated 27.04.2025, registered under Sections 18, 21, 27-A and 29 NDPS Act, Section 52-A of Prison Act, 1894, Section 25 of the Arms Act, 1959, Section 7 of the Prevention of Corruption Act, 1988 (amended upto date) and Section 111(2) of BNS, 2023, at Police Station City-I, Sangrur, District Sangrur.

2. Status report by way of affidavit of the Deputy Superintendent of Police, Sub Division Sangrur, filed in the Court, is taken on record.

3. Learned Senior Counsel contends that the petitioner has been in custody for about 3 months. He alleges false implication. The amount

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of Rs.10,000/- received by him was for supplying certain articles to the inmates, but not for smart watches, and with regard to Rs.25,000/- deposited in his account, there is no evidence to suggest the purpose of said payment. He was transferred from District Jail in the month of December, 2024 and was on duty at Punjab Bhawan, Delhi, till 30.08.2025, and had no knowledge with regard to registration of FIR. When he came to join the inquiry, he was arrested on 31.08.2025. No recovery of contraband has been effected from him. Co-accused Gurchet Singh, Banso Bai, Prasant Majumdar and Gurpreet Singh have since been granted bail by this Court. Challan was presented on 06.10.2025 and the charges have not been framed and total 46 prosecution witnesses have been cited. The petitioner is not involved in any other case.

4. The custody certificate dated 02.12.2025, filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for 2 months and 29 days.

5. Learned State counsel opposes the bail on the ground that there are specific allegations against the petitioner of having received the amount in lieu of providing smart watches and contraband to the inmates. However, he is unable to controvert the submissions with regard to stage, co-accused having been granted bail and the petitioner being not involved in any other case.

6. Heard.

7. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 2 months and 29

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days; not involved in any other case; co-accused are on bail; challan stands presented on 06.10.2025, however, charges are yet to be framed and there are a total of 46 prosecution witnesses; the trial is likely to take a considerable time and further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

8. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.

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- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

9. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

10. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

03.12.2025

parveen kumar

(AMAN CHAUDHARY)
JUDGE

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