



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

226

CRM-M-803 of 2025 (O&M)

Date of decision : 29.04.2025

Sandeep Kumar @ Rahul Kumar

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM : HON'BLE MR. JUSTICE H.S. GREWAL

Present:- Mr. Sourabh Singla, Advocate for the petitioner.

Mr. Amandeep Singh Samra, AAG, Punjab.

H.S. Grewal, J. (Oral)

This is a petition for regular bail filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) in case bearing FIR No.7 dated 09.01.2023 under Sections 22, (61, 85 added later on) of NDPS Act registered at Police Station Patran, District Patiala.

2. The case of the prosecution is that apart from the present case, the petitioner is also involved in FIR No.279 dated 31.10.2023 under Sections 22, 61 and 85 of NDPS Act, 1985 registered at Police Station Patran, District Patiala and the petitioner is on bail in the said FIR. The petitioner was appearing before the same trial Court in both the FIRs. However, in the present FIR, he was declared as a Proclaimed Offender vide order dated 20.09.2024 due to his non appearance. While appearing in another FIR, he was arrested in Court on 22.10.2024 and is in custody since then. Subsequently, vide order dated 12.11.2024, the petitioner was produced before the trial Court and the case was restored at its original number for further proceedings. Learned counsel for the petitioner on instructions submits that the petitioner undertakes to appear before the trial Court on each and every date of hearing in both the FIRs.



3. Learned counsel for the petitioner contends that the petitioner is in custody for more than 07 months.

4. Notice of motion.

5. Mr. Amandeep Singh Samra, AAG, Punjab, accepts notice on behalf of the respondent-State. He vehemently opposes the grant of concession of regular bail by way of filing custody certificate dated 28.04.2025, and submits that the petitioner has undergone actual custody of 07 months and 24 days.

6. I have heard learned counsel for the parties and have gone through the material placed on record.

7. Keeping in view the facts and circumstances of the present case, and the fact that the petitioner is in custody for a period of 07 months and 24 days. Since the petitioner was already granted bail in the present FIR and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

8. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. The pending applications, if any, also stand disposed of.

29th April, 2025

Sonia Puri

(H.S. GREWAL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No