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

CRM-M-121-2025

Date of Decision:10.07.2025

UMESH YADAV AND ANR

...PETITIONERS

VS.

STATE OF PUNJAB

...RESPONDENT

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

Present : Mr. Inderpreet Sinngh Kooner, Advocate
for the petitioners.

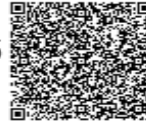
Mr. I.P.S. Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioners have filed the present petition under Section 483 of BNSS with a prayer to grant regular bail to them in case FIR No.98 dated 01.04.2024, registered under Sections 18 & 29 of Narcotic Drugs & Psychotropic Substances Act, 1985, Police Station Zirakpur, District SAS Nagar.

2. As per prosecution version, on the basis of the secret information, the petitioners were apprehended by the police party at the spot and 2 kg 750 grams of Opium was recovered from their conscious possession on 01.04.2024, which is marginally above commercial quantity.

3. Learned counsel for the petitioners contends that the petitioners have been falsely involved in the present case and no recovery was effected

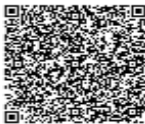


from them. The petitioners are in custody since 01.04.2024 and the final report under Section 173 Cr.P.C. has already been presented against them. He further submits that the out of total 15 witnesses, none has been examined so far and the trial Court may take a considerable time to conclude the trial. No useful purpose will be served by further detention of the petitioners in custody. Thus, it is prayed that they may be released on regular bail. In support of his contentions, learned counsel for the petitioners has relied upon judgments in (i) **CRM-M-37684-2021, Balwinder Singh vs. State of Punjab**, decided on 14.02.2022; (ii) **CRM-M-8212-2022, Tajinder Singh vs. State of Punjab**, decided on 03.03.2022 and (iii) **CRM-M-35186-2016, Manjit Kaur @ Jeeto vs. State of Punjab**, decided on 01.12.2016.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioners on the ground that serious allegations have been levelled against the present petitioners and they do not deserve the concession of bail by this Court. He has also filed status report by way of an affidavit of the Superintendent of Police, Sub Division Zirakpur, District SAS Nagar (Mohali) on behalf of the respondent-State and the same is taken on record.

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

6. Keeping in view the facts and circumstances of the case, custody period of the petitioners and also the fact that the quantity of alleged contraband is marginally above the 'commercial quantity', but without commenting on merits of the case, I am of the considered view that the petitioners deserve the concession of regular bail.



7. Without commenting on the merits of the case, the present petition is allowed and the petitioners are ordered to be released on bail subject to their furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

10.07.2025
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(N.S. SHEKHAWAT)
JUDGE

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