



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

247

CRM-M-65967-2025

Date of decision: 01.12.2025

ROHIT GILL ALIAS KAKA

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Mukesh Kumar Bhatnagar, Advocate
for the petitioner.

Mr. Rahul Jindal, AAG Punjab.

YASHVIR SINGH RATHOR. J.(Oral)

1. This is the second petition under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in case FIR No.226 dated 27.11.2018, under Section 21/29 of NDPS Act, registered at Police Station Islamabad, District Amritsar.

2. I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

3. Learned counsel for the petitioner contended that petitioner was apprehended in the aforementioned FIR. However, he was released on bail vide order dated 04.10.2019. He was regularly facing the trial but he absented during the trial and his bail was cancelled. Subsequently, he was declared a proclaimed offender vide order dated 12.05.2022. Now, petitioner is in custody since 23.08.2024. Out of total 17 witnesses cited by the prosecution, only 4 witnesses have been examined till date and the trial will thus certainly take a long time to conclude and as such, no useful purpose will thus be served by detaining the



petitioner in custody any more and he may be released on bail.

4. On the other hand, learned State Counsel has opposed the bail and argued that in view of the gravity of the offence, petitioner does not deserve the concession of bail.

5. No doubt petitioner was declared proclaimed offender and he has hampered the trial but now he is in custody since 23.08.2024. Out of total 17 witnesses cited by the prosecution, only 04 witnesses have been examined till date. The trial is likely to take sufficiently long time to conclude and no useful purpose will thus be served by detaining the petitioner in custody any more and he deserves to be released on bail. However, trial Court may impose stringent conditions before releasing the petitioner on bail.

6. Having regard to the aforesaid factual position, but without commenting anything upon the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court concerned, on usual terms and conditions.

7. Pending misc. application (s), if any, shall also stand disposed of.

01.12.2025
Priyanka Thakur

(YASHVIR SINGH RATHOR)
JUDGE

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