

IN THE HIGH COURT OF HIMACHAL PRADESH SHIMLA

Cr.M.P.(M) No. 1628 of 2025

Date of Decision: November 28, 2025

Bhagat Singh @ Bagga Presently lodged in District Jail, Solan.	...Petitioner.
---	----------------

Versus

Narcotics Control Bureau	..Respondent.
--------------------------	---------------

*Coram:**The Hon'ble Mr. Justice Vivek Singh Thakur, Judge.**Whether approved for reporting?*

For the Petitioner:	Mr. Rakesh Chaudhary and Mr.Panku Chaudhary, Advocates.
---------------------	---

For the Respondent:	Mr.Ashwani Pathak, Sr Advocate with Mr.Virender Singh Rathore, Advocate.
---------------------	--

Vivek Singh Thakur, J (Oral).

Petitioner, who is under-trial prisoner, has preferred this petition invoking Section 483 Bhartiya Nagarik Suraksha Sanhita 2023 (in short 'BNSS') seeking regular bail in Crime No.38/2019 dated 2.8.2019 registered for offences punishable under Sections 8, 20, 29 and 60 of Narcotics Drugs and Psychotropic Substances Act, 1985 (herein after referred to as NDPS Act) at Police Station Narcotics Control Bureau, Chandigarh.

2. This petition has been filed on behalf of petitioner for enlarging him on bail for delay in conclusion of trial seeking parity with co-accused Rajvir @ Raju, who has been enlarged on bail vide order dated 11.11.2022 passed in Cr.MP(M) No. 2099 of 2022.

3. It is apt to record that petitioner was enlarged on interim bail vide order dated 27.1.2021 passed in Cr.MP(M) No. 128 of 2021. However, he failed to surrender after expiry of terms of interim bail, rather, absconded and was not traceable for more than 2 years. Thereafter, he was apprehended on 8.8.2024 and since then, he is under detention.

4. In aforesaid facts, the plea of parity with co-accused is misconceived and does not entitle the petitioner to be enlarged on bail. During absence of petitioner, the recording of evidence was deferred which also resulted into delay in trial.

5. Therefore, I am of considered opinion that at this stage, petitioner is also not entitled to be enlarged on bail on the ground of delay in trial.

6. In view of above, present petition is dismissed and disposed of.

(Vivek Singh Thakur),
Judge.

November 28, 2025
(ms)