



CRM-M-26243-2024

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**222 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**CRM-M-26243-2024
Decided on : 21.08.2024

Bikramjit Singh @ Bika

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAULPresent : Mr. Sachin Gupta, Advocate
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

Manjari Nehru Kaul, J.(Oral)

1. This is the petition filed by the petitioner seeking concession of regular bail in case FIR No.134 dated 09.12.2023 under Sections 21(b)/27-A of NDPS Act, 1985 registered at Police Station Dhariwal District Gurdaspur.

2. Learned counsel for the petitioner submits that the petitioner has been in custody for more than 8 months having been arrested on 09.12.2023 in a case of false implication; allegedly the petitioner along with co-accused were apprehended by the police on suspicion leading to the recovery of 20 grams of heroin (intermediate quantity). Learned counsel has further submitted that the petitioner's false implication in the present case is also evident from the fact that he has no criminal antecedents and has never been booked under



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any case under the NDPS Act previously. Learned counsel has still further submitted that since investigation is complete, challan has been presented and even charges framed, further incarceration of the petitioner would serve no useful purpose as the trial would take considerable time to conclude since none of the prosecution witnesses have been examined so far.

3. Per contra, learned State counsel while opposing the prayer made by learned counsel for the petitioner, on instructions from SI Satnam Singh, has not disputed the stage of trial. It has also not been disputed that the petitioner has no other criminal antecedents. However, learned State counsel has submitted that the recovery affected from the petitioner i.e. 20 grams of heroin was more than the small quantity provided under the NDPS Act and the said recovery was affected after compliance of all the mandatory provisions of the Act.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. The petitioner has been in custody since 09.12.2023. The investigation in the case in hand is complete as challan stands presented. The trial will take considerable time to conclude as none of the prosecution witnesses out of the 13 cited have been examined.

6. In the facts and circumstances as enumerated hereinabove, more so, when the petitioner concededly is not involved in any other criminal case, this Court deems it fit to extend the concession of regular bail to the petitioner. Accordingly, the instant petition is allowed. The



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petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

8. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

21.08.2024
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(MANJARI NEHRU KAUL)
JUDGE

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