



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-2351-2025
Date of decision: 10.07.2025

BABU SINGH ALIAS BABBUPetitioner

Versus

STATE OF PUNJAB ...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. D.N. Ganeriwala, Advocate
for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH. J.(Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
BABU SINGH ALIAS BABBU	62	23.11.2023	22 of NDPS Act, 1985	Kotfatta	Bathinda

2. Learned counsel for the petitioner contends that earlier to the present case, petitioner was made accused in one case FIR No.135 dated 20.06.2017 for committing offence under Section 22 of the NDPS Act, at Police Station Raman, District Bathinda in which after having the petitioner inside jail for 75 days, was ordered to be undergone and thus had completed his sentence on 29.05.2019.

3. He further contends that in another case i.e. FIR No.210 dated 09.09.2019, under Section 22 of the NDPS Act, Police Station Raman, District



Bathinda, there was one accused namely Sukhpal Singh, whose disclosure statement was recorded, during the time he was in jail for a period of two months and on the basis of the said disclosure statement, petitioner was projected to be the supplier of the contraband in that case.

He also contends that the case was falsely registered and petitioner is presently on bail in that case.

4. Arguing about the instant case, counsel submits that there is a recovery of 1000 tablets of brand Clovidol-100SR Tramadol Hydrochloride from the possession of the petitioner and he is there inside the jail for the period of more than one year and seven months. In fact he has been involved falsely in this case, because the police wanted to see him again behind the bars, despite completion of investigation and submission of challan. By now, out of total 11 prosecution witnesses, only 05 have been examined.

5. Thus, counsel submits that there being slow pace of trial and recovery being 1000 tablets of brand Clovidol-100SR Tramadol Hydrochloride (on weighing 392 grams) which is about 142 grams, more than the non-commercial quantity; prays for grant of regular bail.

6. On the other hand, in response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 09.07.2025 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has already been handed over to the counsel for the petitioner.

As per custody certificate, petitioner has already undergone 01 year, 07 months and 11 days period inside jail and the other two cases which are mentioned in the custody certificate, Court has already been apprized by the



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counsel and same has already been recorded hereabove.

7. In view of the fact that petitioner is there inside the jail for sufficiently long time and culmination of trial is likely to take considerable time, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, I deem it appropriate to grant the concession of bail to the petitioner.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

10. However, it is clarified that in case the petitioner is found repeating the same offence, immediately prosecution would be at liberty to move an application for cancellation of his bail.

11. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

10.07.2025
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No