

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-5068-2025
Date of Decision: 03.02.2025

BIKRAMJIT SINGH ALIAS VICKYPetitioner(s)

VERSUS

STATE OF PUNJABRespondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Raghav Soni, Advocate
for the petitioner.

Mr. Amandeep Singh Samra, AAG, 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
Bikramjit Singh Alias Vicky	110	25.07.2024	21, 21-C, 29 of NDPS	STF	SAS Nagar (Mohali)

2. Learned counsel for the petitioner contends that nothing has been recovered from the possession of the petitioner.

2.1 That recovery of 267 grams of heroin has been effected from the possession of co-accused Ranjit Singh, which is 17 grams more than the non-commercial quantity i.e. 250 grams.



2.2 That the petitioner cannot be fastened with the liability, having in his possession 267 grams of heroin rather, same would be the question before the trial Court requiring adjudication whether there is any contraband in the possession of the petitioner or not.

2.3 That the petitioner is stated to be inside jail since 25.07.2024 and in all other cases registered against him, he is already on bail.

3. On advance notice, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner submits that the petitioner is an habitual offender, as he is accused in five other cases also and four of those are under NDPS Act. However, he is not in a position to dispute that in all those cases, petitioner is already on bail.

4. After hearing learned counsel for the parties and perusing the relevant material on record with their able assistance, this Court finds substance in the submissions made by learned counsel for the petitioner by observing that since the recovery has been effected of 260 grams of heroin and that too from the possession of the co-accused Ranjit Singh @ Tidda, and the Court has been informed that only charges have been framed and process of recording evidence is yet to start.

Moreover, whether the petitioner had conscious possession of the contraband or not, is a moot question which would be determined, only if the prosecution produces any evidence in that regard by connecting it with the recovery which has been effected from co-accused Ranjit Singh @ Tidda.

5. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, I deem



6. 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.
7. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.
8. The observation made hereinabove shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.
9. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

February 03, 2025

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Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**