



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

228

CRM-M-8695-2025
Date of decision: 07.08.2025

SAMARDEEP SINGH ALIAS SAMPetitioner

Versus

STATE OF PUNJAB ...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Kanwaljeet Singh, 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
SAMARDEEP SINGH ALIAS SAM	98	07.04.2023	21 and 29 of NDPS Act (Section 21-C was added later on)	STF, Phase-IV, STF Wing Mohali	Mohali (SAS Nagar)

2. Learned counsel for the petitioner contends that there is a recovery of 1.320 Kg of heroin from the back pocket of the driving seat of the car, which was being driven by the petitioner. Thus, it cannot be alleged with certainty that petitioner was having conscious possession of the recovered contraband.

He further contends that petitioner has already undergone



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incarceration of more than 02 years and 03 months and except the present case, one more case is pending i.e. FIR No.253/2022 dated 01.01.2022, under Section 22 of the NDPS Act, registered at Police Station Moti Nagar, in which petitioner has been involved on the basis of disclosure statement and now is on anticipatory bail, no other case is registered against him.

He also submits that out of total 20 prosecution witnesses, only 01 witness has been examined till date and culmination of trial would likely to take sufficient time in future. Thus, prays for grant of concession of regular bail to the petitioner.

3. On advance notice and in response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 06.08.2025 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 02 years, 03 months and 26 days period inside jail.

4. Learned State counsel has vehemently opposed the prayer of grant of bail to the petitioner, keeping in view the nature of allegations and the gravity of offence involved herein. He further submits that if the petitioner is granted concession of bail, there is every likelihood of him being absconding from the trial and can indulge in similar kind of activities.

5. This Court has heard the learned counsel for the parties concerned, and has gone through the instant petition.

6. As per the totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, I deem it appropriate to



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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.

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. 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.

9. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

10. Petition stands disposed of.

07.08.2025

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(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No