

CRM-M-14129-2025 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2025:PHHC:038270



CRM-M-14129-2025 (O&M)
Date of Decision: 20.03.2025

PARMINDER SINGH

... PETITIONER

VERSUS

STATE OF PUNJAB

... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Ruhani Chadha, Advocate for the petitioner.
Ms. Ramta Chowdhary, DAG Punjab.

* * * * *

H.S. Grewal, J. (oral)

1. The petitioner is seeking regular bail under Section 483 of the BNSS, 2023 in FIR No. 186 dated 13.11.2023, under Sections 304 IPC, 1860 (Sections 21 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 added later on) registered at Police Station Makhu, District Ferozepur.
2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It has been alleged that the name of petitioner has emerged in the FIR on the basis of disclosure statement made by co-accused Arshdeep Singh from whom 07 Kgs and 30gms of heroin was recovered. However, no recovery was effected from the present petitioner, therefore, he prays that he be released on bail.
3. Learned State counsel vehemently opposes the prayer for grant

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of regular bail to the petitioner. He has filed the custody certificate of the petitioner, which is taken on record. As per the custody certificate, the petitioner is in custody for the last 11 months and 19 days and after filing of the challan, 03 out of 25 witnesses have been examined. Learned State counsel further submits that the petitioner is involved in another FIR bearing No. 77 of 02.07.2022 under Section 21/61/85 of NDPS Act registered at Police Station Zira.

4. On a query, learned counsel for the petitioner has stated that in that FIR also he was named on the basis of disclosure statement of the co-accused and no recovery has been effected from the present petitioner. Only 20 gms of heroin was recovered from the co-accused, on whose disclosure the petitioner was named in the FIR. In support of his contentions, learned counsel for the petitioner has relied upon the order of the Hon'ble Supreme Court of India in *Sikandar Vs. State of Gujarat in Special Leave to Appeal (Crl.) No. 7841 of 2024*; decided on 29.07.2024.

5. I have heard the learned counsel for the parties and perused the record.

6. In view of the above submission of learned counsels, since the trial is yet to commence and the same is likely to take time, the fact that the petitioner is in custody for the last 11 months and 19 days and continuous detention of the petitioner would not serve the ends of justice. Since the contraband was not recovered from the petitioner, keeping in view the facts and circumstances of the present case, I deem it a fit case to grant the concession of regular bail to the petitioner during pendency of the trial.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released

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on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. It is clarified that if on bail so granted through the instant order, the applicant is found indulging in any other criminal case it shall be open to the State to seek cancellation of his bail.

20.03.2025
Janki

(H.S.GREWAL)
JUDGE

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