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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-17325-2025 (O&M)

Date of decision : 04.04.2025

Avtar singh @ Bobby

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Vipin Mahajan, Advocate
for the petitioner.

Ms. Avneet, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'the BNSS'), for grant of bail pending trial to the petitioner in FIR No.76 dated 26.11.2024, under Sections 21, 27-A and 29 of Narcotic Drugs & Psychotropic Substances Act, 1985, registered at Police Station Qadian, Police District Batala, District Gurdaspur.

2. Allegations are that petitioner was found in possession of 7 grams of Heroin.

3. Contends that petitioner is in custody since 26.11.2024; and final report has not been presented so far. However, co-accused, namely, Pardeep Kumar and Joga Masih have already been granted concession of bail pending trial vide orders dated 15.01.2025 and



17.03.2025 passed in CRM-M-670-2025 and CRM-M-3054-2025, respectively.

4. Learned State counsel, on instructions, duly acknowledged the above factual position, but she opposed the prayer on the ground that allegations are very serious in nature.

5. Heard both sides and perused the paper-book.

6. It transpires that petitioner is in custody since 26.11.2024 and final report is yet to be presented; therefore, conclusion of trial is likely to take long time. Co-accused, namely, Pardeep Kumar and Joga Masih have already been granted concession of bail pending trial vide orders dated 15.01.2025 and 17.03.2025 passed in CRM-M-670-2025 and CRM-M-3054-2025, respectively and moreover, it is not the objection of State that in case, petitioner is released on bail, he shall influence the witnesses and/or hamper the course of trial, in any manner; thus, his further incarceration would not serve any purpose.

7. Consequently, present petition is allowed; petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned Special Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8. Petitioner shall appear on each & every date of hearing and to fully co-operate with the learned Special Court without seeking any unnecessary adjournment(s).

9. The above observations may not be construed as an expression of opinion on the merits of the case.



10. It is clarified that in case there is recurrence or any misuse of concession of bail on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

04.04.2025
d.gulati

(MAHABIR SINGH SINDHU)
JUDGE

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