**CRM-M-21264-2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.****Sr. No.230(1)****Case No. : CRM-M-21264-2025****Decided On : August 28, 2025**

Mithun

.... Petitioner

vs.

State of Punjab

.... Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

* * *

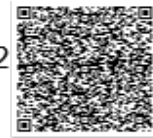
**Present : Mr. Manoj R. Sharma, Advocate
for the petitioner.****Mr. Navdeep Singh, DAG, Punjab.**

* * *

SUKHVINDER KAUR, J. :

Prayer in the present petition, filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 is for grant of regular bail to the petitioner, in case FIR No.27 dated 01.03.2025, under Sections 21(b), 27-A and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as – NDPS Act) (Section 29 of NDPS Act added later on), registered at Police Station Dinanagar, District Gurdaspur.

Briefly, the case of the prosecution is that on 01.03.2025, during routine patrolling, two youth were seen coming on a motorcycle by ASI Ramesh Kumar. On seeing the police party, both of them got perplexed and while slowing down their motorcycle, tried to turn back but were caught by the police party. On asking, driver of the motorcycle disclosed his name as Mithan and the person riding pillion disclosed his name as Suraj @ Roffi. Both of them were told by ASI Ramesh Kumar that they were suspected to



have some objectionable intoxicant substance and were required to be searched. On conducting their search, 20 grams of heroin was recovered from the right pocket of trouser of Mithan and cash amounting to Rs.10,350/- was found in the right pocket of pant of Suraj @ Roffi. Both the accused disclosed that they had earned the said money by selling heroin. On the basis of statement made by aforesaid ASI Ramesh Kumar, the FIR in question was registered.

Learned counsel for petitioner contended that the petitioner has been falsely involved in the present case. The only allegation against the petitioner is that he was found in possession of 20 grams of heroin, which falls under the non-commercial quantity. The petitioner is in custody since the day of his arrest. He further urged that trial of the case is likely to take time. Therefore, the petitioner be granted concession of regular bail.

Learned State counsel opposed the present bail petition while contending that two other cases are also pending against the petitioner and he is a habitual offender. The contraband in question was also recovered from the petitioner, so, he does not deserve the concession of bail.

I have heard the learned counsel for the parties and have also gone through the case file.

As per the allegations, there is recovery of 20 grams of heroin which falls under the 'intermediate quantity'. As far as recovery of drug money from co-accused is concerned, it would be seen during the trial of the case whether the said money was drug money or not.

As per the Custody Certificate dated 27.08.2025, which has been placed on record today in Court, the petitioner has already undergone

custody of 05 months and 23 days. The trial of the case is going on and conclusion of the trial is likely to take considerable time. No useful purpose would be served by further detaining the petitioner behind the bars.

Accordingly, the present petition is allowed and the petitioner is ordered to be admitted on regular bail, on furnishing adequate bail bonds and surety bonds, to the satisfaction of concerned learned Trial Judge/Chief Judicial Magistrate/Duty Magistrate.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

Pending application(s), if any, shall stand disposed of along with the present petition.

August 28, 2025

monika

(SUKHVINDER KAUR)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No.