

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-25875-2025
Date of Decision:30.10.2025

SURINDER SINGH ALIAS SINDI ALIAS SHINDU ...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Umesh Sharma, Advocate for the petitioner.
Mr. Pawan Kumar Jhanda, Senior 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
Surinder Singh @ Sindi @ Shindu	18	10.03.2025	22 of NDPS Act, 1985	Mehtiana	Hoshiarpur

2. Recovery in the present case is of 30 grams of Tramadol Hydrochloride.

After hearing the arguments partly, certain facts were recorded in the order dated 18.08.2025, which reads as under:

- i)Present petition has been fled under Section 483 of the BNSS. FIR No. 18 dated 10.03.2025, registered under seeking regular bail Section 22 of the NDPS Act, at Police Station Mehtiana, District Hoshiarpur.*
- ii) The alleged recovery in the present case is of 30 grams of Tramadol Hydrochloride, which falls under the category of non-commercial quantity. Petitioner is in custody for the period of last five months and four days. Although, the investigation has been*

completed and charges have been framed, no prosecution witness has been examined till date.

ii) A perusal of the custody certificate reveals that, apart from the present case, petitioner is also facing trial in five other cases, in all of which petitioner is stated to be on bail. The details are as follows:

- 1. FIR No. 69 dated 06.06.2015, under Section 25 of the Arms Act, registered at Police Station Mehtiana,*
- 2. FIR No. 40 dated 30.03.2021, under Sections 29/22/61/85 of the NDPS Act, registered at Police Station Mehtiana,*
- 3. FIR No. 05 dated 07.01.2021, under Sections 29/22/61/85 of the NDPS Act, registered at Police Station Mehtiana,*
- 4. FIR No. 124 dated 16.11.2022, under Sections 406 and 420 of the IRC registered at Police Station Mehtiana, and*
- 5. FIR No. 77 dated 03.08.2022, under Sections 379, 411, and 34 of the IPC, registered at Police Station Mehtiana - Petitioner is stated to be on bail.*

iv) List for further proceedings on 30.10.2025.

Continuing his submissions, learned counsel for the petitioner submits that although three other cases under the NDPS Act have been registered against the petitioner, he has not been found guilty in any of them till date. In the present case, the quantity allegedly recovered is non-commercial in nature, i.e., 30 grams of *Tramadol Hydrochloride*. It is further contended that the petitioner has already undergone incarceration for a period of about seven months and fifteen days, having been in custody since 11.03.2025. As of now, only two witnesses have been examined out of the total eight, cited by the prosecution. It is, therefore, urged that no useful purpose would be served by keeping the petitioner in custody for an indefinite period during the pendency of the trial. Accordingly, learned counsel prays that the petitioner be extended the concession of regular bail.

3. On the other hand, while vehemently opposing the prayer of bail, learned State counsel submits that keeping in view the nature of offence, he does not deserve concession of bail. However, learned State

counsel though does not dispute the factual position, as explained by the petitioner's counsel here-above.

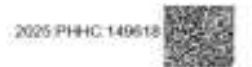
4. I have heard learned counsel for the parties and perused the relevant material available on record.

5. While considering the plea of bail, this Court is conscious of the fact of recovery of narcotic contraband from the petitioner. However, this Court also cannot overlook other factual aspects, the total period of incarceration already undergone, as well as the potential risk of his coming into contact with hardened criminals in the eventuality of prolonged detention. Therefore, this Court deems it appropriate to consider the plea of bail of the petitioner.

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 here-in-above 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. 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**.

(SANJAY VASHISTH)
JUDGE

30.10.2025
kv

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