



IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM-M-26621-2025

Reserved on: 11<sup>th</sup> September, 2025

Pronounced on: 15<sup>th</sup> September, 2025

Balwinder Singh @ Mota

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Vivek K. Thakur, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

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**MANISHA BATRA, J :-**

The instant one is the third petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 83 dated 23.08.2024 registered under Sections 21(B) and Section 25 of Narcotic Drugs and Psychotropic Substance Act, 1985 (for short 'NDPS') at Police Station Lambra, District Jalandhar (Rural) Punjab. His first petition had been dismissed as withdrawn and second petition bearing CRM-M-53500-2024 was dismissed vide order dated 09.01.2025.

2. The petitioner along with co-accused Gurcharan Singh @ Raju and Gurpreet Singh @ Guri was apprehended while travelling in a car bearing registration No. PB65-BF-7693 and recovery of 225 grams of *heroin* and drug money of Rs. 1,00,000/- was effected from a bag kept in the dash board of the car. Investigation stands concluded and the petitioner along



with the co-accused is facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that the co-accused Gurpreet Singh and Gurcharan Singh have since been extended benefit of bail. On parity, he too deserves to be extended the same benefit. Even otherwise, trial is substantially delayed and its conclusion is likely to take time. It is, therefore, urged that he deserves to be extended benefit of bail.

4. *Per contra*, it is argued by learned State counsel that the previous petition of the petitioner was dismissed on merits. There are grave allegations against him. Therefore, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner is in custody since 23.08.2024. The quantity of the contraband as allegedly recovered from the vehicle in which the co-accused and himself were travelling, has found to be intermediary. The trial is likely to take considerable time as none of the fourteen witnesses has been examined so far, despite the lapse of about eight months since the dismissal of the previous petition. It is therefore, evident that the conclusion of the trial will take considerable time. Keeping in view the above discussed facts, on parity and the period spent by the petitioner in custody, I am of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial



Magistrate/ Duty Magistrate concerned.

7. It will be open for the prosecution to apply for cancellation of bail, in case the petitioner is found involved in any other subsequent case of similar nature.

8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

**[MANISHA BATRA]**  
**JUDGE**

**15<sup>th</sup> September, 2025**

*Parveen Sharma*

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*  
: *Yes / No*