



In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-27271 of 2025

Date of Decision: 19.08.2025

Heera Singh Jaggi

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Surya Partap Singh.

Present: Mr. Rajesh K. Dadwal, Advocate
for the petitioner(s).

Mr. Eklavya Darshi, Deputy Advocate General,
Punjab, for the respondent.

Surya Partap Singh, J.

1. The petitioner, who is facing trial, pursuant to FIR No. 42 dated 11.03.2024, Police Station Special Task Force, District STF Wing (Police Station Mukerian), District Hoshiarpur, has filed the present petition for bail.
2. By virtue of above mentioned FIR, the petitioner is being prosecuted for the commission of offence punishable under Sections 21-C and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as “the NDPS Act”).
3. The allegations as contained in the FIR are that On 10.03.2024 at about 7:40 PM, ASI Manoj Kumar along with the police party received a tip off. He was informed that Heera Singh alias Jaggi along with his companion Gaurav Sharma alias Nona was standing in front of Bus Stand,

Mukerian, in a car bearing No. PB-06-R-0026 and that they are waiting for the customers to sell them drug i.e. heroin. When the police party headed by ASI Manoj Kumar reached Bus Stand, Mukerian, it spotted a person who noticed the presence of police party and hastily tried to sneak away by taking a u-turn. On suspicion, he was intercepted and enquiries were made from him. He disclosed his name as Heera Singh alias Jaggi. The above said police party also apprehended another person who disclosed his name as Gaurav Sharma alias Nona. When the police party searched the accused, namely Heera Singh alias Jaggi, one polythene envelop containing 300 grams of heroin was recovered from his possession. In view of above mentioned recovery, the petitioner is being prosecuted for the commission of offence punishable under Sections 21-C and 29 of the NDPS Act.

4. The learned State counsel has filed the custody certificate, however, he has not opted to file reply to the petition.

5. Heard.

6. While seeking the benefit of bail, it has been argued by learned counsel for the petitioner that the petitioner has already suffered incarceration being in custody for a period of one year five months and four days; that the investigation in this case is already complete; and the trial of the case is not likely to be concluded in the near future.

7. Per contra, the learned State counsel has vehemently opposed the benefit of bail to the petitioner.

8. The record has been perused carefully.

9. In the instant case, the contraband recovered from the possession of the accused/petitioner falls within the category of commercial

quantity; and that the trial is proceeding at a desirable pace, as out of 19 witnesses three have already been examined and three have been given up by the prosecution. Thus, only 13 witnesses are left to be examined. The case of petitioner does not fall in a category where it can be observed that he is facing undue/long incarceration. The rigors of Section 37 of the NDPS Act are applicable in the present case and there is nothing on record to observe that there are reasonable grounds for believing that the petitioner is not guilty of the offence, and that he is not likely to commit any offence while on bail.

10. Hence, finding no merit in the present petition, the same deserves dismissal. The present petition is hereby dismissed, accordingly.

(Surya Partap Singh)
Judge

August 19, 2025
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No