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

CRR-1448-2025 (O&M)**Date of decision : 28.05.2025****Baljit Singh @ Ballu****.....Petitioner****versus****State of Punjab****.....Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ****Present :- Mr. Ranjodh Singh Sidhu, Advocate for the petitioner.****RAJESH BHARDWAJ, J. (Oral)**

1. Prayer in the present petition has been made seeking modification of the conditions imposed by the Court of learned District and Session Judge, Tarn Taran vide judgment dated 19.05.2025 in the application moved by the petitioner under Section 187(2) (3) of B.N.S.S. seeking default bail in case FIR No.126 dated 17.03.2025 under Sections 21, 61, 85 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Goindwal Sahib.

2. It has been contended by learned counsel for the petitioner that the petitioner was falsely implicated in case FIR No.126 dated 17.03.2025 under Sections 21, 61, 85 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Goindwal Sahib, on the allegation that 5.04 grams of heroin was recovered from him. He submits that the recovery effected from the petitioner was marginally above the small quantity. He submits that the Learned Special Court, Tarn Taran, granted bail to the petitioner by imposing harsh condition of furnishing bail bonds in the sum of **Rs.50,000/- with two sureties in the like amount** to the satisfaction of Illaqa Magistrate to be **furnished within**



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one day. He submits that the condition imposed is almost impossible to comply with and it is totally against the law settled. He, thus, submits that the petitioner is a poor person and the condition imposed deserves to be quashed.

3. Notice of motion.

4. On the asking of the Court, Mr. Tarun Aggarwal, Addl.A.G., Punjab accepts notice on behalf of the respondent-State. He has opposed the contentions of learned counsel for the petitioner.

5. After hearing counsel for the parties and perusing the record, it is evident that the recovery effected from the petitioner was almost a small quantity but the condition imposed by the learned Court of District & Sessions Judge, Tarn Taran, on the face of it, are harsh. This Court do not find any justification of imposing such a harsh condition and the same is hereby modified to the extent that the amount of the bail bonds to the tune of Rs.50,000/- is reduced to Rs.10,000/- with one surety in the like amount. So far, the next condition to furnish the bail bonds within one day, also stands quashed and the same be furnished by the petitioner within a period of 10 days from the date of receipt of copy of this order. Rest of the contents of the order dated 19.05.2025, passed by the learned District & Sessions Judge, Tarn Taran, shall remain intact.

6. With the above observations, the present petition stands disposed of.

(**RAJESH BHARDWAJ**)
JUDGE

28.05.2025

ps-I

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