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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-34025-2025
Date of decision: 08.09.2025

BIKRAMJIT SINGHPetitioner

Versus

STATE OF PUNJAB ...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Barjinder Singh, Advocate for
Mr. Prateek Pandit, Advocate
for the petitioner.

Mr. Manjinder Singh Bhullar, 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
BIKRAMJIT SINGH	32	26.02.2025	22 of NDPS Act	Kartarpur	Jalandhar Rural

2. As per the case of the prosecution, there are total two accused in the present case. Upon seeing the police party, petitioner-Bikramjit Singh, threw away a polythene bag containing 14 intoxicating tablets of Etizolam. Co-accused-Ishar Singh also threw a polythene bag, which he had taken out from the right pocket of his pajama, and upon checking that transparent polythene bag, 16 tablets of Etizolam were recovered.



3. Counsel for the petitioner argues that by clubbing the tablets, recovery has been converted into commercial quantity, weighing more than 2.5 grams. Whereas, in the present scenario, petitioner can be attributed with the allegation of keeping in his possession only 14 tablets of Etizolam, which definitely would fall much less to the commercial quantity, as 14 tablets of Etizolam would amount to 1.70 grams of etizolam only.

4. He further submits that petitioner is there inside jail since 26.02.2025 and process of recording of statement of witnesses is yet to start. However, charges have already been framed.

5. Status report dated 06.09.2025 by way of an affidavit of Vijay kanwar Paul, PPS, Deputy Superintendent of Police (PBI & Narcotic) cum Sub-Division Kartarpur, Jalandhar (Rural) has been filed on behalf of respondent-State, in Court today. Same is taken on record.

6. On advance notice and in response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 07.09.2025 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has already been handed over to the counsel for the petitioner.

As per custody certificate, petitioner has already is inside jail for the period of last 06 months and 11 days.

7. Learned State counsel has vehemently opposed the prayer of grant of bail to the petitioner as he is involved in three cases under the provisions of NDPS Act i.e. FIR No.198 dated 08.12.2021, FIR No.146 dated 14.11.2023 and FIR No.141 dated 16.10.2024. However, he does not dispute the fact that in all



these cases petitioner has already been granted the concession of bail. He also does not dispute the fact that process of recording of statement of prosecution witnesses is yet to start and petitioner is there inside jail since 26.02.2025.

8. I have heard learned counsel for the parties and perused the relevant material available on record with their able assistance.

9. The petitioner was found in possession of a polythene bag containing 14 tablets. Whether he can be held liable for the recovery of the other 16 tablets, which were recovered from the polythene bag thrown by his co-accused, is yet to be determined by the learned trial Court, after leading complete set of evidence by the prosecution.

10 Noticing the situation in the instant case as to whether the recovery falls within commercial quantity or non-commercial quantity, is yet to be determined by the learned trial Court and the fact that petitioner is there inside jail for the last more than 06 months and 11 days, this Court deems it appropriate to grant the concession of bail to the petitioner.

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.

11. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

12. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of



evidence available on record, as expeditiously as possible, in accordance with law.

13. 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.

14. Petition stands disposed of.

08.09.2025
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(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No