



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

219

CRM-M-34982-2025

Date of decision: July 11th, 2025

Rajinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Abhaysher Singh, Advocate
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of regular bail in FIR No.182 dated 24.10.2024 under Section 21(c) of The NDPS Act, 1985 registered at Police Station Sadar Fazilka.

2. Learned counsel for the petitioner submits that it is a matter of record that the petitioner has no previous criminal antecedents. The petitioner, as per the learned counsel, was working as a *siri* (labourer) with co-accused Bagicha Singh, who was riding the motorcycle at the time when the police intercepted them on the fateful day. Learned counsel has submitted that recovery of 531 grams of heroin was made from co-accused Darshan Singh, who had merely taken a lift from co-accused Bagicha Singh. The petitioner was sitting in between the rider i.e. co-accused Bagicha Singh and co-accused Darshan Singh and was unaware about the contents of the bag, which co-accused Darshan Singh was holding. It has been contended by the counsel that it is, therefore, evident that the petitioner has been falsely

implicated in the present case and furthermore, no recovery of any contraband much less heroin was made from the petitioner either from his person or from a bag at the relevant time. Learned counsel submits that after the petitioner was arrested, investigation is complete, challan stands presented and charges have also been framed. However, none of the 13 prosecution witnesses have been examined so far.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by the counsel opposite, has not disputed the custody period of the petitioner and the stage of trial. It has also not been disputed that the petitioner has no previous criminal antecedents. It has still further not been admitted that the recovery of contraband was made from a bag, which co-accused Darshan Singh was carrying when the police intercepted them.

4. On being pointedly asked, learned State counsel has conceded that no secret information was received qua the involvement of the petitioner in drug trafficking and that the petitioner has no previous criminal antecedents.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. The petitioner has been in custody since 24.10.2024. None of the 13 prosecution witnesses have been examined so far. Hence, the trial is unlikely to conclude in the near future.

7. In the facts and circumstances as enumerated hereinabove, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

8. Needless to say, in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of the same.

July 11th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No