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**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

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CRM-M-37369-2025 (O&M)
Date of decision: 30.10.2025

Rajwinder Singh @ Vadda**...Petitioner****Versus****State of Punjab****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. P. K. S. Phoolka, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 51 dated 17.05.2025, registered under Section 21(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Sangat, District Bathinda.

2. Brief facts of the case relevant for the disposal of the present petition are that on 17.05.2025, the petitioner was apprehended by a police party and recovery of 07 grams of heroin was effected from him. He was formally arrested at the spot. After completion of necessary investigation and usual formalities, challan was present in the Court and presently, the petitioner is facing trial for commission of aforesaid mentioned offence. He had moved an application before the trial Court for grant of regular bail but the same had been dismissed, vide order dated 03.07.2025.

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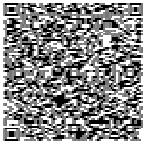
3. Learned counsel for the petitioner has submitted that he has been falsely implicated in this case. In fact, the alleged recovered contraband was planted on him. Mandatory provisions of the NDPS Act were not complied with properly. Even otherwise, the quantity of the recovered contraband does not fall under commercial quantity, being 07 grams. The petitioner is in judicial custody since 17.05.2025. Investigation has since been completed and challan has been filed. Trial will take time to conclude. No useful purpose would be served by keeping him in custody anymore. Pendency of other cases against him cannot be considered to be ground for denying him concession of bail. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Status report along with the custody certificate of the petitioner has been filed by the respondent-State. Learned Assistant Advocate General, Punjab has argued that keeping in view the gravity of the allegations levelled against the petitioner as well as his criminal antecedents, he is not entitled to get benefit of bail. Hence, it is urged that the petition is liable to be dismissed.

5. This Court has heard the submissions of both the sides.

6. The petitioner is in custody since 17.05.2025. The quantity of the contraband allegedly recovered from him does not fall under commercial quantity. Although, he is shown to be involved in some other cases of similar nature but he is on bail in those cases. Even otherwise, the same cannot be made a ground for rejecting his prayer for grant of bail in the given circumstances. Investigation has since been completed and challan has

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been filed. Conclusion of trial would obviously take time. Keeping in view the aforesaid facts, this Court is of the considered opinion that no useful purpose would be served by keeping him in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate. However, 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.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

30.10.2025
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No