

2025:PHHC:114160



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

212

CRM-M-40431-2024

Date of decision: August 27, 2025

THANEDAR SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Jashandeep Singh Sandhu, Advocate
for the petitioner.

Mr. H.S. Deol, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J.(ORAL)

1. The instant petition has been filed under Section 439 of Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.38 dated 28.02.2024 under Sections 21(C), 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station STF Phase-IV Mohali (for whole Punjab), District Amritsar (Annexure P-1).

2. Learned counsel for the petitioner submits that even as per the case of the prosecution, no recovery of any contraband, much less heroin, was stated to have been effected from the petitioner. It has been argued by the learned counsel that the petitioner was only stated to be present at the spot along with the co-accused Paramjit Singh @ Pamma, from whom a recovery of 1 kg of heroin was effected. Learned counsel has submitted that in the circumstances, it is evident that the petitioner is innocent and is a victim of false implication. It has also been brought to the notice of this Court that after the charges were framed on 07.09.2024, only 4 prosecution



witnesses had been examined, with 10 still remaining to be examined. Hence, the possibility of the trial concluding in the near future did not arise. In addition, it has been brought to the notice of this Court that the prime accused Paramjit Singh @ Pamma has already been extended the concession of bail by a Coordinate Bench of this Court vide order dated 07.08.2025, and hence, the petitioner also deserves similar relief as concededly, his case is on a better footing.

3. *Per contra*, learned State counsel, while opposing the prayer and submissions made by the counsel opposite, has not disputed the petitioner has been in custody since 28.02.2024, and as on date, only four prosecution witnesses have been examined. It has also not been controverted that no recovery of any contraband was made from the petitioner after the police nabbed him and co-accused Paramjit Singh @ Pamma. Learned State counsel, on further instructions, has also not disputed that co-accused Paramjit Singh @ Pamma has since been extended the concession of bail. However, learned State counsel, on instructions, submits that the petitioner is booked in one other case under the NDPS Act, and hence, he cannot claim parity with co-accused Paramjit Singh @ Pamma as the latter was having clean antecedents.

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

5. The petitioner has been in custody since 28.02.2024. The trial has been proceeding at a considerably slow pace with only four prosecution



witnesses having been examined in almost one year after the charges were framed in September 2024. Concededly, no recovery of any contraband was made from the petitioner after he was nabbed along with co-accused ramjetit Singh @ Pamma.

6. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of regular bail to the petitioner. Accordingly, the instant petition is allowed, and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, while admitting the petitioner to bail, learned trial Court/Duty Magistrate concerned may put him to any stringent conditions as it deems fit, so as to ensure the presence of the petitioner during the trial.

7. 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 add here, in case the petitioner is found misusing the concession of bail, the State would be at liberty to approach this Court to seek cancellation of bail to him.

August 27, 2025
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

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