



CRM-M-38073-2025

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.

CRM-M-38073-2025

Date of Decision:-19.11.2025

SURAJ SINGH

.....Petitioner

Vs.

STATE OF PUNJAB

.....Respondent

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Paramjit Singh Bal, Advocate
for the Petitioner.

Mr. M.S. Toor, A.A.G., Punjab.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 483 BNSS is for the grant of regular bail in case bearing FIR No.0038 dated 26.03.2025 registered under Sections 21/27(A)/29 of NDPS Act and Section 111(2) BNS, 2023 (Sections 25/54/59 of Arms Act added later on) at Police Station Doraha, District Khanna.

2. The brief facts of the case are that Anuj @ Lalla, Ravi Kumar @ Kartoos, Suraj (petitioner) and Swarandeep Singh were apprehended while travelling in a car. 20 grams of heroin was recovered from a black bag lying on the rear seat of the car. From the bag Rs.3,50,000/- and 33 US dollars were recovered.

3. Ravi Kumar further got recovered a 32 bore pistol with a magazine containing two live cartridges and two Kirpans. One Gurpreet



Singh alias Kala was also nominated as an accused. Subsequently, one Harpal Singh was apprehended with 7 illegal pistols with empty magazines. Thereafter, one Kuldeep Singh was apprehended with 6 more illegal pistols.

4. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. There are violations of the mandatory provisions of the Act regarding search and seizure including Sections 42 and 50. As the petitioner is in custody since 26.03.2025 but none of the 15 prosecution witnesses has been examined so far, he is involved only in one other case bearing FIR No.64/2023 dated 01.05.2023 U/s 21, 29 of NDPS Act, P.S. Doraha where the recovery is of non-commercial quantity of contraband and the recovery in the present case is also of non-commercial quantity of contraband, he is entitled to the concession of bail.

5. A reply dated 17.11.2025 by way of an affidavit of Jasbinder Singh, PPS, Deputy Superintendent of Police, Sub Division Payal, Police District Khanna has been filed on behalf of the State by the learned counsel for the State. The same is taken on record. He contends that serious allegations have been levelled against the petitioner. Offences of this kind are on the rise and, therefore, he is not entitled to the concession of bail. He, however, concedes that the petitioner is in custody since 26.03.2025 but none of the 15 prosecution witnesses has been examined so far, that the recovery is of non-commercial quantity of contraband and that he is involved only in one other case.

6. I have heard the learned counsel for the parties.

7. Admittedly, the recovery from the petitioner is of non-



commercial quantity of contraband. Therefore, the bar contained under Section 37 of the NDPS Act would not be applicable to the case of the petitioner. Further, the petitioner is stated to be in custody since 26.03.2025 but none of the 15 prosecution witnesses has been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation the further incarceration of the petitioner is not required.

8. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-Suraj Singh S/o Behra Singh is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

9. The petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.1,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

10. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

19.11.2025
JITESH

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>