



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

106

CRM-M-38625-2025 (O&M)
Date of decision: 23.09.2025

TARSEM SINGH

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. A.S. Khosa, Advocate for the petitioner.

Mr. G.S. Dhaliwal, AAG, Punjab.

YASHVIR SINGH RATHOR. J.(Oral)

CRM-37637-2025

1. The present application under Section 528 of BNSS, 2023 has been filed for preponing the date of hearing from 27.11.2025 to some early actual date of hearing.

2. For the reasons mentioned in the application, the same is allowed and the date of hearing in the main case i.e. CRM-M-38625-2025 is preponed from 27.11.2025 to 23.09.2025 and the main case is taken on Board today itself.

CRM-37638-2025

3. Present application under Section 528 BNSS, 2023, has been filed for placing on record Annexures P-3 and P-4 in the main case.

4. For the reasons mentioned in the application, the same is allowed. Annexures P-3 and P-4 are taken on record subject to all just exceptions.

CRM-M-38625-2025

5. Present petition under Section 483 of the Bharatiya Nagarik Suraksha



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Sanhita, 2023 has been filed for grant of regular bail to the petitioner in case FIR No.51 dated 07.04.2025, under Sections 21 and 29 of the NDPS Act (Section 29 of NDPS Act added later on), registered at Police Station City Fazilka, District Fazilka.

6. Brief facts of the prosecution case are that on 07.04.2025, police party apprehended Tarsem Singh (petitioner) and Baljinder Singh and 100 grams of heroin was recovered from their conscious possession. On the basis of disclosure statements suffered by them, one Paramjit Singh @ Pamma was also arrested and 218 grams of heroin was recovered from him. Petitioner is in custody since 07.04.2025.

7. I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

8. Learned counsel for the petitioner argued that the contraband recovered from Tarsem Singh (petitioner) and Baljinder Singh is 100 grams of heroin, which falls within non-commercial quantity. Petitioner is in custody since 07.04.2025. Learned counsel next contended that co-accused Baljinder Singh has already been released on bail by a Co-ordinate Bench of this Court, vide order dated 18.08.2025, passed in CRM-M-42535-2025. Case of the petitioner is identical to that of co-accused Baljinder Singh and he too is thus entitled to be released on bail on the ground of parity.

9. On the other hand, learned State Counsel has opposed the bail and has sought its dismissal in view of the gravity of the offence.

10. Co-accused Baljinder Singh who was apprehended along with the petitioner has already been released on bail by a Co-ordinate Bench of this Court,



vide order dated 18.08.2025, passed in CRM-M-42535-2025. Quantity recovered is non-commercial. The challan has already been presented and in these circumstances, further detention of the petitioner is not required.

11. Having regard to the aforesaid factual position, but without commenting anything upon the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court concerned, on usual terms and conditions.

23.09.2025
amandeep

(YASHVIR SINGH RATHOR)
JUDGE

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