



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

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CRM-M-40017-2025

Date of decision: 02.08.2025

Nikhil Nayar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL

Present: Mr. J. S. Sandhu, Advocate, for the petitioner.

Mr. Kamalpreet Bawa, DAG, Punjab.

H.S. GREWAL, J. (Oral)

1. The petitioner is seeking regular bail under Section 483 BNSS, 2023 in case FIR No.08 dated 08.01.2025, under Sections 21, 29 NDPS Act, 1985, registered at Police Station STF SAS Nagar, Mohali, District SAS Nagar (Mohali), Punjab.

2. Learned counsel for the petitioner submits that the case of the prosecution is that co-accused of the petitioner namely Amarjeet singh @ Amri was found in possession of 01 Kg.700

3. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case as apart from the disclosure statement, there is no evidence against the petitioner to implicate him from the alleged recovery of contraband. Moreover, the trial is yet to commence and the petitioner is in custody for the period of last 6 months and 21 days as under trial and he is not involved in any other case which is pending under NDPS Act, therefore, petitioner be released on bail pending trial.

4. Notice of motion.

5. Mr. Kamalpreet Bawa, DAG, Punjab, accepts notice on behalf of the respondent-State. Learned State counsel vehemently opposes the prayer



for grant of regular bail to the petitioner. He has filed custody certificate of the petitioner in the Court today, which is taken on record. As per custody certificate, the petitioner is in custody for the last 6 months and 21 days.

6. I have heard the learned counsel for the parties and perused the record.

7. In view of the above submissions of learned counsel for the parties and considering the custody period undergone by the petitioner and the fact that he is not involved in any other case which is pending under NDPS Act, the continuous detention of the petitioner would not serve the ends of justice. Keeping in view the facts and circumstances of the present case, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial.

8. Therefore, without expressing any opinion on the merits of the case, the instant petition is **allowed**. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. However, it is made clear that in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of his bail.

(H.S. GREWAL)
JUDGE

02.08.2025

anil

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