

**CRM-M-41802-2025**

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**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH****206****CRM-M-41802-2025****Date of decision : 08.08.2025**

Jobanjit Singh @Joban

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present: Mr. Amritpal Singh Maan, Advocate for the petitioner.

SURYA PARTAP SINGH, J. (Oral)

1. This is a petition for regular bail filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'BNSS'), in a case arising out of FIR No.7 dated 08.03.2025 registered under Sections 21, 27-A and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as the 'NDPS Act', Police Station Mattewal, District Amritsar Rural.

2. The case of the prosecution is that while patrolling in a private vehicle, the police party apprehended two persons approaching on foot and that the petitioner who threw a translucent polythene bag containing a heavy object from the left pocket of his trouser was apprehended. The petitioner who had thrown the contraband is stated to be in possession of 04 grams of heroin, whereas Rs.600/- were recovered from the possession of co-accused of the petitioner, namely Harpal Singh.

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3. Notice of motion.

4. Mr. K.D. Sachdeva, DAG Punjab, accepts notice on behalf of the respondent-State.

5. Learned counsel for the petitioner contends that the alleged recovery of the contraband from the petitioner falls under the category of small quantity. He further contends that the petitioner has been in custody for a period of 05 months since the date of his arrest i.e. 08.03.2025 and the trial is yet to commence. He further stated that co-accused of the petitioner, namely Harpal Singh, has already been released on bail by this Court vide order dated 21.05.2025.

6. Although the respondent/State has not filed any formal reply to the instant application, yet the application is being opposed vehemently. Learned counsel for the State vehemently opposes concession of regular bail. However, he is not refuting the fact that the trial proceeding has not started yet.

7. Heard learned counsel for the parties.

8. Keeping in view the facts and circumstances of the present case, and the fact that custody period undergone by the petitioner in the present case is 05 months and the trial has yet not commenced, and that the petitioner is not involved in any other case. Since the conclusion of the trial is likely to take a long time, and further incarceration of the petitioner would not serve the ends of justice, this Court deems it a fit case to grant the concession of regular bail to the petitioner.



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9. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is granted concession of regular bail in the present case, on his furnishing requisite bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate. The pending applications if any, also stand disposed of.

10. Since the petitioner is being represented by Legal Aid Counsel, the police authorities are directed to give intimation with respect to instant bail order to the Secretary, District Legal Services Authority, Amritsar.

(SURYA PARTAP SINGH)
JUDGE

AUGUST 08, 2025
Gaurav Thakur

Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No