



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

249

CRM M-42535-2025

Date of Decision:18.08.2025

Baljinder Singh

...Petitioner

Versus

State of Punjab

... Respondents

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Ms. Riffi Birla, Advocate for the petitioner.
Mr. I.P.S. Sabharwal, DAG, Punjab.

N.S.SHEKHAWAT, J.

1. The petitioner has filed the instant petition under Section 483 of the B.N.S.S., 2023 with a prayer to grant regular bail in case FIR No.51 dated 07.04.2025 registered under Section 21 of the NDPS Act, 1985 registered at Police Station City Fazilka, District Fazilka.
2. Learned counsel for the petitioner contends that as per the case of the prosecution, the petitioner and Tarsem Singh, co-accused were allegedly apprehended by the police while they were carrying 100 grams of heroin in their conscious possession without any lawful force. She further contends that during the course of investigation, on the basis of the statement suffered by them, Paramjit Singh @ Pamma, co-accused was arrested by the police and 218 grams of heroin was recovered from him. She further contends that in the present case, only 100 grams of heroin was recovered from the

petitioner and Tarsem Singh and the petitioner had no connection with the recovery made subsequently from Paramjit Singh @ Pamma. Thus, the rigours of Section 37 of the NDPS Act may not apply to the facts of the present case.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that there are serious allegations against the petitioner and the petitioner is not entitled for the concession of regular bail. However, he admits that there is no other criminal case pending against the petitioner.

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

5. In the present case, the total recovery of heroin made from the petitioner and Tarsem Singh was 100 grams, which is “non-commercial” in nature. The petitioner is stated to be in custody for the last about 04 months and the *challan* has already been presented against him. However, no witness has been examined so far.

6. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

18.08.2025
amit rana

(N.S.SHEKHAWAT)
JUDGE

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