



CRM-M-42818 of 2025

-1-

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

287

CRM-M-42818 of 2025
Date of Decision: 18.08.2025

Sandeep Singh @ Sunny

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Ms. Isha Goyal, Advocate and
Mr. R.P. Saini, Advocate
for the petitioner.

Mr. Satvir Mander, AAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. The petitioner has filed the instant petition under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.79 dated 05.05.2025 registered under Sections 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Lopoke, District Amritsar Rural.
2. The FIR was lodged on the statement of a police official who had stated that on 05.05.2025, he along with other police officials were present for patrolling duty and on suspicion, they apprehended the petitioner and 100 grams of heroin were recovered from his possession.
3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and the petitioner was not involved in the alleged offence. The petitioner is in custody since

**CRM-M-42818 of 2025****-2-**

05.05.2025. He further contends that the alleged contraband recovered from the petitioner falls under the category of intermediate quantity. He further submits that the trial may take quite a long time and no useful purpose would be served by keeping him behind the bars. There are no chances of his absconding, therefore, it is urged that the petition deserves to be allowed.

4. On the other hand, learned State counsel has filed the custody certificate of the petitioner and the status report, which are taken on record. He has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the allegations against the petitioner are serious in nature and he has played an active role in the offence in question. He further submits that the contraband was recovered from the conscious possession of the petitioner and falls under the category of intermediate quantity. He further submits that the petitioner is an habitual offender as he is involved in four more criminal cases of similar nature.

5. Having heard learned counsel for the parties at length and after perusing the record of the case, it transpires that the petitioner is in custody for the last more than 03 months and the investigation has already been concluded. As per custody certificate, the petitioner is stated to be involved in four cases registered under NDPS Act. However, the said factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail qua the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in '**Maulana Mohd. Amir Rashadi v. State of U.P. and another**', 2012(1) RCR (Criminal) 586; & judgments of this Court in **CRM-M No.38822-2022** titled as '**Akhilesh**



CRM-M-42818 of 2025

-3-

Singh Vs. State of Haryana, decided on 29.11.2021, and Balraj v. State of Haryana, 1998(3) RCR (Criminal) 191. Further, the trial will take a long time to conclude. No useful purpose would be served by detaining him in further custody. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

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.

7. The present petition is disposed off accordingly.

(RUPINDERJIT CHAHAL)
JUDGE

18.08.2025
D.Bansal

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