



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-44947-2025
Decided on : 28.11.2025

Rohit Singh @ Haldi . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Rajeev K. Kapila, Advocate
for the petitioner(s).

Mr. K.D. Sachdeva, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name Petitioner(s)	of FIR No.	Date	Section(s)	Police Station	District
Rohit Singh @ Haldi	45	01.05.2025	21(B), 27(A), 29/61/85 of NDPS Act, 1985	Sadar Gurdaspur	Gurdaspur

2. Learned counsel for the petitioner contends that while petitioner was driving one motorcycle, bearing registration No. PB06-AE-7292, along with one pillion rider, namely, Munish Kumar, they were intercepted by the police team and thereupon, from the tool box of the motorcycle 12 grams of heroin along with five currency notes of Rs.500/- each, total Rs.2500/-, were shown to be recovered.

Further contends that a totally false case has been registered against the petitioner, whereas, in actual, nothing has been recovered by the police from his possession, and the issue of conscious possession is yet to be



decided, as to by whom and when the alleged contraband was placed in the tool-box of the motorcycle. In case, the petitioner has been able to prove during trial that he was completely ignorant of it, he will have a good case for acquittal on the basis of lack of knowledge about the recovered contraband.

Further argues that co-accused, namely, Munish Kumar, has already been granted concession of regular bail by this Court, vide order dated 15.07.2025, passed in CRM-M-35948-2025 (O&M), titled as, "*Munish Kumar v. state of Punjab*", copy of which has been produced today and taken on record.

Thus, in view of above, learned counsel for the petitioner prays for grant of regular bail to the petitioner.

3. On the other hand, learned State counsel has filed the custody certificate dated 27.11.2025, in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

4. While opposing the prayer for bail, learned State counsel submits that apart from present case, petitioner is involved in three more cases, i.e., one under the NDPS Act and two under different provisions of criminal law, the details of which are as under:-

- “(i) *FIR No. 142, dated 28.12.2023, u/s 336/452/427/148/149 of IPC & 25/54/59 of Arms Act, registered at P.S. Dhariwal.*
- (ii) *FIR No. 143, dated 28.12.2023, u/s 307/34 of IPC & 25/54/59 of Arms Act, registered at P.S. Dhariwal.*
- (iii) *FIR No. 117, dated 26.08.2022, u/s 21-b/61/85 of NDPS Act, registered at P.S. Dhariwal.”*

Thus, learned State counsel argues that in view of the past



antecedents of the petitioner, he does not deserve the concession of regular bail in the present case.

5. In response, learned counsel for the petitioner explains that in the NDPS case, i.e., FIR No. 117, dated 26.08.2022, there was recovery of 13 grams of heroin, and trial has not been finally decided, and the petitioner is already on bail in the said case.

6. I have considered the rival submissions of learned counsel for both the sides and also taken into consideration the grounds taken by them, in support of their submissions, as also perused the custody certificate.

7. In the instant case, petitioner is inside jail for a period of about 06 months and 24 days. Recovery in the present case is 12 grams of heroin along with cash amount of Rs.2500/- from the tool-box of the motorcycle, which was being driven by him. However, the issue regarding knowledge of the contraband lying in the tool-box of the said motorcycle, is yet to be determined during trial. Besides this, it is also noticeable that co-accused of the petitioner, namely, Munish Kumar, has already been granted concession of regular bail by this Court. Moreover, the petitioner, who is a young boy of the age about 22 years, can be afforded an opportunity to get himself rehabilitate in the society.

In view of the totality of these circumstances, and the nature allegations leveled against the petitioner, including the factors noticed here-above, this Court deems it appropriate to grant the concession of bail to the petitioner.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.



8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.
9. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.
10. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.
11. Petition stands **disposed of**.
- Misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

November 28, 2025
J.Ram

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