



CRM-M-44109-2025

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

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**CRM-M-44109-2025
Reserved on: 07.11.2025
Pronounced on : 17.11.2025**

JUGRAJ SINGH ALIAS NANDU ALIAS JAGRAJ SINGH

.....PETITIONER

Versus

STATE OF PUNJAB

..... RESPONDENT

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Argued by: Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. Jasdev Singh Thind, DAG Punjab with
DCP Ravinder Pal Singh Sandhu, Investigation, Amritsar and
DSP Bikramjeet Singh.

SURYA PARTAP SINGH, J.

1. For the commission of offence punishable under Sections 21(c) and 29 of NDPS Act, the FIR No.261 dated 24.08.2023, has been lodged in Police Station Special Task Force, District STF Wing. With regard to commission of above mentioned offence, the petitioner has been arrested. He is in custody, and therefore, craving for the concession of bail. This is third petition for bail, filed by the petitioner, under Section 483 of BNSS.

2. In nut-shell, the facts emerging from record are that the FIR of this case came into being when ASI Manoj Kumar, who was heading a police party, deputed for patrolling duty, got a tip-off from an informant about the involvement of Jagraj Singh @ Nandu, Sewak Singh and Jasbir Singh @ Jas in the trading of drugs. As per prosecution the above-said police party intercepted



a motorcycle and recovered 510 grams of Heroin. According to prosecution, pursuant to above-mentioned recovery, the requisite formalities with regard to seizure and search of contraband and registration of FIR were completed and thereafter, the petitioner and his co-accused were arrested.

3. Heard.

4. It has been contended by learned counsel for the petitioner that the petitioner is innocent, who has been falsely implicated in the present case. According to learned counsel for the petitioner this is third petition moved by the petitioner for regular bail, and that the second petition moved by the petitioner was dismissed on 27.03.2025. As per learned counsel for the petitioner both the petitions moved by the petitioner on earlier occasions were not decided on merits and they were dismissed as they were withdrawn by the counsel for the petitioner.

5. The learned counsel for the petitioner has further argued that in the present case, the petitioner has already suffered a very long incarceration for being in custody for a period of more than 02 years and that the trial in this case is progressing at a snail pace, as despite lapse all the prosecution witnesses have not been examined by the prosecution. In support of his arguments, the learned counsel for the petitioner has referred to the observations made by a Co-ordinate Bench of this Court in the case of Gursharanjit Singh @ Sonu @ Billa vs. State of Punjab CRM-M-28452-2025, Ajay Singh vs. State of Punjab CRM-M-39571-2025, Harpal Singh vs. State of Punjab CRM-M-37076-2025, Sukhbir Singh @ Sukh vs. State of Punjab CRM-M-31072-2024. In view of above, the learned counsel for the petitioner has contended that the petitioner is entitled for the benefit of bail.



6. *Per contra*, the learned State counsel has argued that this is the third bail petition moved by the petitioner and that from the date of dismissal of second bail petition there is no change in circumstance and therefore, this third petition for bail is not maintainable. It has also been argued by learned State counsel that the quantity of contraband recovered from the possession of petitioner is 510 grams of Heroin, which is a commercial quantity and therefore, rigours of Section 37 of NDPS Act are applicable to the present case. It has also been argued by learned State counsel that the sole ground on which the foundation of present petition is laid, is the delay in trial. According to learned State counsel firstly there is a no significant time gap between the dismissal of last bail petition and the present petition and secondly as observed by Hon'ble Supreme Court of India in the case of ***NCB vs. Mohit Aggarwal Criminal Appeal No.1001 of 2022*** the delay in trial cannot be a ground to relax the condition enshrined under Section 37 of NDPS Act.

7. The record has been perused carefully.

8. A perusal of record shows that the present petition is third petition for bail moved by the petitioner, and that the last petition i.e. second petition, was dismissed by this Court on 27.03.2025. From the date of dismissal of 2nd petition for bail, by this Court, a period of 08 months have elapsed, but the above-said period cannot be said to be a period which can lead to a conclusion that there is delay in trial.

9. In addition to above, there is no significant change in any relevant circumstance from the date of dismissal of former bail petition.

10. In addition to above, it is also relevant to mention here that the quantity of contraband recovered from the possession of petitioner is



commercial quantity and as per settled principles of law, in the case of Mohit Aggarwal (supra) without satisfying the twin conditions, the benefit of bail cannot be accorded to the petitioner. A perusal of record shows that there is nothing on record to show that the above-mentioned twin conditions stands satisfied in this case.

11. Thus, taking into consideration the cumulative effect of all the above discussed factors, it is hereby held that the present petition is devoid of merits and deserves dismissal. The same is hereby dismissed, accordingly.

(SURYA PARTAP SINGH)
JUDGE

17.11.2025

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