

2025:PHHC:164946



(231) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-45193-2025

Date of decision : 27.11.2025

VIKRAMJIT SINGH @ BIKRAMJIT SINGH @ VICKY

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Brijesh Khosla, Advocate for the petitioner

Ms. Sakshi Bakshi, AAG, Punjab

MANISHA BATRA, J.

1. The petitioner herein is making prayer for grant of regular bail in case arising out of FIR No.17, dated 06.02.2024 registered under Sections 22 and 29 of NDPS Act, 1985 at Police Station Badhni Kalan, District Moga on the allegations that on 06.02.2024, on the basis of a secret information, the petitioner alongwith co-accused Sukhdev Singh alias Dev and Satnam Singh alias Gaggi Fauji was apprehended and 110 tablets of Etizolam were recovered from them which were taken into custody by the Police. The petitioner and the co-accused were formally arrested. The recovered contraband was sent to Forensic Science Laboratory and total 20.9 Grams of Etizolam salt was found in the intoxicant tablets which fall under the commercial quantity. Investigation now stands concluded.

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2. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. A false recovery has been planted upon him. He is in continued custody for a period of more than one year and nine months. His further incarceration would not serve any useful purpose. The co-accused Sukhdev Singh, Satnam Singh and Arshdeep Singh have been extended benefit of bail. On parity, he too deserves to be extended the same benefit. He does not have any criminal antecedents. It is, therefore, argued that the petition deserves to be allowed.

3. Per contra, learned State Counsel has argued that there are serious and specific allegations against the petitioner. There are chances of his absconding, if extended benefit of bail. Rigours of Section 37 of NDPS are attracted in this case. It is therefore, argued that the petition does not deserve to be allowed.

4. This Court has heard rival submissions of both the parties.

5. The petitioner alongwith the co-accused is alleged to have been found in conscious possession of commercial quantity of Etizolam tablets. He is in custody since 06.02.2024. The co-accused-Santam Singh and Arshdeep Singh, who were on similar footing, have been extended benefit of bail by coordinate Benches of this Court. On parity the petitioner deserves to be extended the same benefit. His involvement in other cases cannot be considered to be a reason for denying the benefit of bail to him. It is also well settled proposition of law that grant of bail on account of delay in trial and long period of

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incarceration is to be considered in light of Section 37 of NDPS Act. Taking into consideration the period of incarceration of the petitioner and the fact that prolonged incarceration of the petitioner militates against the precious fundamental right guaranteed under Article 21 of the Constitution of India and on parity, this Court is of the considered opinion that the petitioner has made out a case for grant of bail at this stage.

6. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail, subject to his furnishing personal as well as surety bonds to the satisfaction of the learned trial Court.

7. It is however, clarified that the observations made above shall not be construed as an expression of opinion of this Court on the merits of the case.

(MANISHA BATRA)
JUDGE

27.11.2025
Amit Sharma

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