

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

213

2025:PHHC:133240



CRM-M-45823-2025 (O&M)
Date of decision: 24.09.2025.

JATINDER SINGH @ HAPPY

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- M. Ramandeep Singh Bagga, Advocate, (Legal-aid-counsel)
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in case bearing FIR No.116 dated 14.06.2024, under Section(s) 21, 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Mahilpur, District Hoshiarpur.

2 Learned legal-aid-counsel appearing on behalf of the petitioner(s) contends that the petitioner has been falsely implicated in the present case and that it is a chance recovery wherein the petitioner was arrested on 14.06.2024. He submits that the petitioner is in custody since the date of his

arrest. He further submits that the recovery effected from the petitioner in this case is 19 grams of heroin and 60 tablets of Etizolam 0.5 mg each (Etiron 0.5 mg). He contends that in this case the investigating officer himself is the complainant and that he is not appearing before the trial Court to get his testimony recorded. He submits that only 05 witnesses out of 15 witnesses cited by the prosecution have been examined so far and therefore, the conclusion of the trial is likely to take sufficient time.

3 State counsel, on the other hand, contends that the total weight of the tablets that were recovered from the possession of the petitioner is 6.95 grams whereas 2.5 grams is the commercial quantity, hence, the petitioner was found to be in conscious possession which is three times of the prescribed commercial quantity. He submits that already 05 witnesses have been examined and 03 witnesses have been given up out of 15 cited by the prosecution despite the fact that the FIR in question was registered on 14.06.2024. He thus submits that there is no inordinate delay in the proceedings and the petitioner has undergone custody only for a period of one year and three months. He submits that the petitioner has similar criminal antecedents as he is also involved in offences under the Indian Penal Code, 1860, registered against him.

4 Having heard the learned counsel for the parties and taking into consideration that there has been no undue delay in the conclusion of the trial and 05 witnesses out of 15 witnesses cited by the prosecution have already been examined whereas 03 witnesses have been give up, hence, only 07 witnesses remain to be examined, as such it cannot be said that pace of the trial is slow. Besides, there is involvement of the petitioner in multiple

other cases, hence, the present petition for the grant of regular bail is dismissed at this stage.

September 24, 2025.	(VINOD S. BHARDWAJ)
raj arora	JUDGE
<i>Whether speaking/reasoned</i>	: <i>Yes/No</i>
<i>Whether reportable</i>	: <i>Yes/No</i>