

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:153170



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CRM-M-48548-2025 (O&M)

Date of decision:06.11.2025

Harmanvir Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. D.D. Sharma, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No.263, dated 29.11.2023, registered under Sections 21/22 of the NDPS Act, at Police Station City Rupnagar, District Rupnagar.

2. As per the allegations, on 29.11.2023, a police party was patrolling near the Patwarkhana chowk, Rupnagar, when an alto car and one active vehicle were found parked near the construction site of a canal bridge. The police party reached there and on seeing it, the occupants of both the vehicles became perplexed. The driver and person sitting besides him in the car, opened the windows of their respective sides and threw plastic bags and tried to flee. They were, however, apprehended. On asking, they disclosed

their names as Harmanvir Singh and Major Singh. On checking the plastic bag thrown by accused Harmanvir Singh, 9 grams of heroin was recovered, whereas from the bag thrown by accused Major Singh, 8 grams of heroin was recovered, which was taken into possession by the police. They were formally arrested. After completion of investigation, challan was presented before the trial Court. The petitioner had been extended benefit of regular bail vide order dated 11.01.2024 passed by the Special Court.

3. As per the allegations, the petitioner absented himself on 02.04.2024 due to which his bail was cancelled and bonds were forfeited to the State. Proceedings for declaring him a proclaimed offender were initiated and he was declared so vide order dated 10.09.2024. He surrendered on 15.06.2025 and is in custody since then.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since long. He is ready to abide by the terms and conditions to be imposed upon him. The trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. With these broad submissions, it is argued that he deserves to be released on bail.

5. Status report has been filed. It is argued by learned State counsel that the petitioner had been declared a proclaimed offender. There are chances of his absconding and committing similar offences, if extended benefit of bail. It is therefore, argued that he does not deserve to be released on bail.

6. This Court has heard the rival submissions made by learned counsel for the parties carefully.

7. The petitioner is alleged to have found in conscious possession 9 grams of heroin, which was intermediate quantity of contraband. He has been extended benefit of bail previously. Now he is in custody since 15.06.2025. The trial will take considerable time to conclude. Keeping in view the above discussed facts, this Court is of the considered opinion that the petitioner deserves to be released on bail. Accordingly, the petition is allowed and he is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the extent of two sureties to the satisfaction of learned trial Court/learned Chief Judicial Magistrate/Duty Magistrate concerned.

06.11.2025*harjeet***(MANISHA BATRA)
JUDGE**

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