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

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CRM-M-49289-2025 (O&M)
Date of decision: 26.09.2025

Harjit Singh @ Harjeet Singh**...Petitioner**

Versus

State of Punjab**...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Munish Garg, Advocate
For the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 0023 dated 30.04.2025, registered under Sections 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Sehna, District Barnala.

2. Brief facts of the case relevant for the disposal of the present petition are that on 29.04.2025, the petitioner along with co-accused Gurpreet Singh was apprehended by a police party and recovery of 250 loose intoxicant tablets (*Alprazolam*) was effected from them. Since they could not produce any valid license or permit to keep in his possession the recovered drugs, they were formally arrested at the spot. After completion of necessary investigation and usual formalities, challan was presented in the Court and presently, the petitioner along with co-accused is facing trial for commission of aforementioned offences.

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3. Learned counsel for the petitioner has submitted that he has been falsely implicated in this case. In fact, the alleged recovered contraband was planted on them. He is not involved in any other case and has clean antecedents. Even otherwise, as per FSL report, the quantity of the recovered contraband does not fall under commercial quantity, being 31.75 grams. The petitioner is in custody since 30.04.2025. Trial will take time as no witness has been examined so far. No useful purpose would be served by keeping him in custody anymore. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Custody certificate of the petitioner has been filed by the respondent-State. It is submitted by learned State counsel that keeping in view the gravity of the allegations levelled against the petitioner, he is not entitled to get benefit of bail. Hence, it is urged that the petition is liable to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

6. The petitioner is in custody since 30.04.2025. The quantity of the contraband allegedly recovered from him and co-accused does not fall under commercial quantity. Investigation has since been completed and challan has been filed. However, no prosecution witness has been examined so far, which means it will take time for conclusion of trial. He is not shown to be involved in any other case. Keeping in view the aforesaid facts, I am of the considered opinion that no useful purpose would be served by keeping him in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing

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personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

26.09.2025
Wasim Jiwari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No