

2025.PHHC.174020



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-51172-2025

Date of decision: 12th December, 2025

Jasvir Singh @ Pipni

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Ms. Meena, Advocate with
Mr. Shamsheer Singh, Advocate and
Ms. Radha Singh, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

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. 28 dated 18.04.2020 registered under Sections 22(c) and 29 of Narcotic Drugs and Psychotropic Substance Act, 1985 (for short 'NDPS Act') at Police Station Garhdiwala, District Hoshiarpur, on the allegations that on 18.04.2020, he was found in conscious possession of 115 grams of intoxicant powder. He was formally arrested. The petitioner was extended benefit of bail vide order dated 27.05.2020 passed by the Sessions Court. He absented himself during the course of trial. His bail was cancelled and bonds were forfeited to the State. Proceedings under Section 82 of Cr.P.C. were initiated against him. He was declared a proclaimed person vide order dated 22.07.2022. As revealed from

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the record, the petitioner was arrested on 21.05.2024 and is in custody since then.

2. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. His absence before the learned trial Court was not intentional but due to the reason that his mother expired on 06.11.2020 and thereafter he was under acute depression. He had been staying with his sister at Andaman and Nicobar Island. He is ready to abide by the terms and conditions of the bail to be imposed upon him and therefore, it is urged that the petition deserves to be allowed.

3. Status report and custody certificate have been filed by respondent-State. It is argued by learned State counsel that there are serious allegations against the petitioner. He has even been convicted in a case registered under Section 174-A of IPC. There are chances of his absconding or committing similar offences, if extended benefit of bail. Therefore, it is stressed that the petition does not deserve to be allowed.

4. This Court has heard learned counsel for the parties at considerable length.

5. The petitioner is in custody since 21.05.2024 i.e. a period of one year, six months and twenty days. Trial is likely to take time to conclude since three out of 11 prosecution witnesses have been examined. Taking into consideration the period spent by the petitioner, this Court is of the considered opinion that he deserves to be extended benefit of bail. Accordingly, the petition is allowed, and the petitioner is ordered to be released on bail subject to his furnishing personal as well as surety bonds of two sureties to the

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satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

6. However, in addition to the conditions to be imposed by the learned trial Court/Duty Magistrate/Chief Judicial Magistrate, the release of the petitioner shall also be subject to the following conditions :

- (i) he shall not absent himself on any date before the learned trial Court;
- (ii) he shall deposit his passport, if any, with the learned trial Court;
- (iii) he shall give the details of his mobile numbers at the police station concerned and shall not change the same without prior permission of the Court;
- (iv) he shall not delay the trial in any manner.

7. In the eventuality of breach of any of the aforementioned conditions, the respondent-State shall be at liberty to move an application seeking cancellation of the bail.

8. 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.

9. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

12th December, 2025
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |