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

CRM-M-55889-2024**Date of Decision: 16.01.2025**

Paramjit Singh @ Billa

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Yashpal Thakur, Advocate
for the petitioner.

Mr. Deepinder Singh Brar, Senior DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.09 dated 13.01.2023 registered under Sections 18, 29, 61, 85 of NDPS Act, at Police Station Kotwali, Nabha, District Patiala.

2. As per case of the prosecution, on 13.01.2023 at about 7.00 p.m. a police party head by ASI Jagga Singh apprehended the present petitioner and recovered 2 kg 600 grams opium kept in a black coloured plastic bag being transported by him in Alto Car bearing registration No.HR-20Q-3266. After arrest of the petitioner, the recovered opium was sent to FSL and as per FSL report, Morphine was found present, which falls under the commercial quantity.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He further submits that neither the petitioner was picked from the house, neither the petitioner was arrested at the alleged place mentioned in the FIR nor any alleged recovery is affected from



the petitioner. The petitioner is in custody since 13.11.2023 and the final report under Section 173 Cr.P.C. has already been presented against him. Trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. Thus, it is prayed that he may be released on regular bail. In support of his contentions, learned counsel for the petitioner has relied upon judgments in (i) **CRM-M-37684-2021, Balwinder Singh vs. State of Punjab**, decided on 14.02.2022; (ii) **CRM-M-8212-2022, Tajinder Singh vs. State of Punjab**, decided on 03.03.2022 and (iii) **CRM-M-35186-2016, Manjit Kaur @ Jeeto vs. State of Punjab**, decided on 01.12.2016.

4. On the other hand, learned counsel for the State vehemently opposed the submissions made by learned counsel for the petitioner. However, he fairly conceded the fact that petitioner is not involved in any other criminal activity.

5. Keeping in view the facts and circumstances of the case, custody period of the petitioner and also the fact that the quantity of alleged contraband is marginally above the 'commercial quantity', but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

6. Therefore, the petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned.

16.01.2025

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**(N.S.SHEKHAWAT)
JUDGE**

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