

CRM-M-54304-2025

- 1 -

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

237

**CRM-M-54304-2025
Date of decision: 27.11.2025**

TAJINDER SINGH ALIAS JHANDI ALIAS TEJINDER SINGH
....Petitioner
Versus

STATE OF PUNJAB
...Respondent

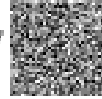
CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Ms. Ravisha Mahajan, Advocate for the petitioner.

Mr. Gorav Kathuria, DAG Punjab.

YASHVIR SINGH RATHOR. J.(Oral)

1. Present petition under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed for grant of regular bail to the petitioner in case FIR No.16 dated 17.02.2025, under Sections 420, 465, 467, 468, 471 and 120-B of IPC, registered at Police Station Civil Line Amritsar City, District Amritsar.
2. Status report dated 26.11.2025 by way of affidavit of Rishabh Bhola, IPS, Assistant Commissioner of Police (North), Amritsar City has been filed on behalf of respondent-State and the same is taken on record.
3. Brief facts of the prosecution case are that petitioner was arrested in FIR No.155 dated 21.06.2024, under Section 21 of NDPS Act, registered at Police Station Gharinda, Amritsar (Rural) and he was ordered to be released on bail. However, the person who appeared before the trial Court to furnish the surety bond was found to be fake. Thereafter, the present FIR was registered and petitioner was arrayed as an accused and he was arrested on 09.04.2025.
4. I have heard learned counsel for the petitioner as well as learned State



CRM-M-54304-2025

- 2-

counsel and have gone through the record.

5. Learned counsel for the petitioner contended that he was released on bail in the case under the NDPS Act. Petitioner was in jail and he never arranged any surety and he did not present the surety bond or personal bond. The offence in question has been committed by the person who stood as a surety and was a fake person and petitioner has been wrongly impleaded as an accused in the present case. Learned counsel further contended that all the offences are Magisterial trial. Petitioner is in custody since 09.04.2025 and the trial is likely to take a long time to conclude and further detention of the petitioner is not required and he may be released on bail.

6. On the other hand, learned State Counsel has opposed the bail and sought for its dismissal in view of the gravity of the offence.

7. One Manjit Kaur furnished surety bond on behalf of the petitioner in FIR No.155 dated 21.06.2024 under the NDPS Act but the surety as well as the identifier namely Amarjeet Singh @ Sarabjit Singh were found to be fake persons and the present FIR for the offences under Sections 420, 465, 467, 468, 471 and 120-B of IPC was registered. However, it is not in dispute that the petitioner was in jail and he had thus not produced the surety or the identifier. It will thus be a debatable question during the trial, as to whether, petitioner had conspired with the said accused persons or not, while furnishing the surety bond. Petitioner is in custody since 09.04.2025. All the offences are Magisterial trial. The trial is likely to take sufficiently long time to conclude. It is well settled that bail is the rule and jail is an exception and pre-trial incarceration cannot be used as a tool to punish an offender and no useful purpose will, thus, be served by detaining the petitioner in



CRM-M-54304-2025

- 3-

custody anymore.

8. Having regard to the aforesaid factual position, but without commenting anything upon the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court concerned, on usual terms and conditions.

27.11.2025
amandeep

(YASHVIR SINGH RATHOR)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No