



CRM-M-54262-2025 (O&M)

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

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**CRM-M-54262-2025 (O&M)
Date of decision : 14.11.2025**

Gurjant Singh @Janta

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present : Mr. Gurpal Singh Sandhu, Advocate for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

SURYA PARTAP SINGH, J.

1. For the commission of offence punishable under Sections 15(c), 27, 29 of Narcotic Drugs and Psychotropic Substances Act, 1985, hereinafter being referred to as 'NDPS Act', and Section 473 of Indian Penal Code, the FIR No.261 dated 31.10.2022 has been lodged in Police Station Lambi, District Sri Muktsar Sahib. The petitioner is being prosecuted for the commission of abovementioned offence and he has been arrested. The petitioner is in custody and, therefore, craving for concession of bail. This is fifth petition for bail filed by the petitioner, under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

2. In nut-shell, the facts emerging from record are that the FIR of this case came into being on 31.10.2022, when a police party headed by ASI Amar Singh was on patrolling duty on the main road near Dana Mandi

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Kilianwali. As per prosecution, the police party spotted a tractor coming from opposite direction and when the driver of the said tractor noticed that there was a police party on his way ahead, he suddenly stopped the tractor, and tried to run away. It is the case of the prosecution that in view of abovementioned suspicious behaviour, the driver of the tractor was apprehended and search of the tractor was conducted, wherein it was found that 12 sacks were loaded thereupon, wherein there was poppy husk weighing total 240 kg.

3. It is the case of the prosecution that in view of abovementioned recovery of narcotic substance, the requisite formalities with regard to seizure & sealing of contraband, lodging of FIR, and arrest of accused were performed, and further investigation taken up.

4. Heard.

5. It has been contended by learned counsel for the petitioner that although the present petition is fifth petition for bail moved by the petitioner, but in fact, out of four bail petitions moved by the petitioner previously, two petitions were the petitions for interim bail, and remaining two were not decided on merit, as the same were dismissed as withdrawn. According to learned counsel for the petitioner, the petitioner has already suffered a long incarceration for being in custody for a period of more than 02 years and 11 months, and that the trial is not likely to be concluded in near future, and therefore, the petitioner is entitled for the benefit of bail.



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6. *Per contra*, the learned State Counsel has argued that the former petition for bail, filed by the petitioner, was withdrawn at the stage when arguments at some length were addressed and the petitioner found that he was not likely to get any relief from the Court. According to learned State Counsel, in view of above, this fifth petition for bail is not maintainable.

7. In addition to above, the learned State Counsel has also pointed out that in the present case, there is no delay in trial, as the entire evidence has already been recorded, and the case is fixed for final arguments.

8. In reply to abovementioned arguments, the learned counsel for the petitioner has contended that the decision in trial is not likely to take place in near future, as in another petition, moved by the petitioner, the final judgment has been stayed by this Court.

9. The record has been perused carefully.

10. A perusal of record shows that the sole ground for seeking bail in the present petition is delay in trial. However, the record, i.e. copy of order dated 06.08.2025 passed by this Court in CRM-M-42647-2025, makes it abundantly clear that whatever the delay is there, it is because of a petition moved by the petitioner, who sought stay with regard to final decision in the trial. *Secondly*, any delay in trial cannot be attributed to the prosecution, as the prosecution has already led the requisite evidence in this case. *Thirdly*, from the date of dismissal of second bail petition, no significant change in circumstances has taken place.



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11. If the cumulative effect of all the abovementioned factors, involved in the instant case, is taken into consideration, it leads to the conclusion that at this stage the petitioner is not entitled for the benefit of bail, and that the present petition deserves dismissal.

12. Accordingly, without commenting anything on the merits of the case, the present petition is hereby *dismissed*.

13. Pending miscellaneous application(s), if any, also stand(s) disposed of, accordingly.

(SURYA PARTAP SINGH)
JUDGE

NOVEMBER 14, 2025

Gaurav Thakur

Whether speaking / reasoned
Whether Reportable

Yes/No
Yes/No