

2025:PHHC:120910



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

210

CRM-M-57008-2024
Date of Decision: 05.09.2025

AMANDEEP SINGH ALIAS MEEDA

... Petitioner

VERSUS

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL.

Present: Mr. Rishu Mahajan, Advocate for the petitioner.

Mr. Rishab Singla, AAG, Punjab.

H.S. GREWAL, J. (ORAL)

This petition has been filed for grant of regular bail under Section 483 of BNSS in case FIR No.03 dated 08.01.2024 under Section 21 of NDPS Act, 1985 registered at Police Station Gharinda, District Amritsar.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case in hand and even the mandatory provisions have not been complied with. He further submits that the petitioner is a poor person, working in fields as labourer. He has no connection with the alleged recovery of heroin. He further submits that it is highly improbable that a person would roam about in his own house while carrying contraband. He further submits that the police has foisted a false case upon the petitioner and the co-accused of petitioner namely Gurbir Singh has already been granted the concession of regular bail vide order dated 04.07.2024 in CRM-M-15002-2024,

therefore, the petitioner is also liable to be treated on parity. He thus prays that the petitioner be also granted concession of regular bail.

Mr. Rishab Singla, AAG, Punjab has filed the custody certificate in the Court today, which is taken on record. As per custody certificate, the petitioner is in custody for the last 01 years 05 months and 20 days. The case of prosecution is that during search for drugs, the petitioner stepped out of his house and on seeking the police party, he became perplexed and threw a transparent polythene bag containing 510 grams of heroin. Thereafter, he jumped over the wall and escaped in the presence of entire police party, who were unable to apprehend him at the spot. The petitioner was later arrested on 13.03.2024 after a period of about two months. He, thus, vehemently opposes the prayer for grant of regular bail to the petitioner.

I have heard the learned counsel for the parties and perused the record.

On the asking of Court, learned State Counsel could not dispute that the petitioner is not involved in any other case whatsoever. He has undergone custody for a period of 01 year, 05 months and 20 days. He could not explain that as to how the police recognized the petitioner and how he managed to escape in the presence of the armed police force. Moreover, out of 15 prosecution witnesses, the prosecution has not examined even a single witness till date.

Keeping in view the facts and circumstances of the case and the fact that there despite a custody of more than one year, the prosecution is not

able to commence the trial and has not examined any witness till date, this Court is of the opinion that the petitioner deserves concession of regular bail. Moreover, bail is rule and jail is exception. Since the continuous detention of the petitioner would not serve the ends of justice, this Court deems it a fit case to grant the concession of regular bail to the petitioner during the pendency of the trial.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

It is clarified that if while on bail, so granted through the instant order, the petitioner is found indulging in any other criminal case, it shall be open to the State to seek cancellation of his bail.

Pending applications, if any, shall also stand disposed of.

SEPT. 05, 2025.

Rajender

(H.S. GREWAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No