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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.58677 of 2025
Date of Decision: 03.11.2025

Baljinder Singh @ Kittu ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Balwant Singh, Advocate,
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
155	13.08.2025	Beas, District Amritsar Rural	21, 27-A and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short ‘NDPS Act’)

2. As per the allegations, on 13.08.2025, while performing patrolling duty, a police party headed by ASI-Jatinderpal found the accused while standing at the link road. On seeing the police party, he

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had become scared and tried to throw an envelope by taking it out from the right pocket of his trouser. On suspicion, he was apprehended. On conducting personal search, sum of Rs.600/- was recovered from him. On checking the envelope, 7.10 grams of heroin was found to be kept in the same which was taken into possession. The petitioner was formally arrested. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 13.08.2025. Investigation has completed. Trial will take considerable time. The recovery is of non commercial quantity which has been falsely planted upon him. His involvement in other cases cannot be considered to be a reason for denying benefit of bail to him. It is, therefore, urged that he deserves to be released on bail.

4. Per contra, it is argued by learned Assistant Advocate General, Punjab that keeping in view the gravity of the allegations as levelled against the petitioner and his antecedents, he does not deserve to be extended benefit of bail.

5. This Court has considered the rival submissions.

6. The petitioner is alleged to be found in possession of 7.10 grams of heroin on 13.08.2025. Investigation now stands completed. The trial is likely to take time. No useful purpose would be served by keeping the petitioner in custody any more. The rigors of Section 37 of NDPS Act are not attracted in this case. No doubt, he is involved in several other cases

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in such cases and cannot be denied benefit of bail due to that reason alone. Taking into consideration the above discussed facts, this Court is of the considered opinion that a case for release of the petitioner on bail is made out. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

03.11.2025
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(MANISHA BATRA)
JUDGE

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