



Sr. No. 221

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

CRM-M-62472-2024 (O&M)

Dated : 17.02.2025

Gurmeet Singh @ Golu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sandeep Kumar Bokolia, Advocate for the petitioner.

Mr. Kamalpreet Bawa, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for bail pending trial in FIR No. 27 dated 30.04.2024, under Sections 21(c) & 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') (Section 29 of NDPS Act added later on), registered at Police Station, Talwandi Bhai, District Ferozepur.

2. Allegations are that 200 grams of *heroin* was recovered from the petitioner.

3. Custody certificate dated 15.02.2025 has been produced, which is taken on record. Registry to tag the same at appropriate place.

4. Contends that alleged recovery against the petitioner is 200 gram *heroin* (non-commercial quantity) and petitioner is in custody since 30.04.2024. Further contends that after investigation,



report under Section 193 of BNSS was presented on 23.10.2024, but charges are yet to be considered; thus, trial will take sufficient long time. Lastly contends that he is not involved in any other criminal case.

5. Aforesaid factual position is duly acknowledged by learned State counsel, on instructions from ASI-Sudesh Kumar; but opposed the prayer, on the premise that instances of drug menace, are increasing day-by-day in the State of Punjab.

6. Heard learned counsel for the petitioner and perused the paper-book.

7. As per prosecution case, 200 gram *heroin* was recovered from the petitioner and that is non-commercial in nature. Petitioner is in custody since 30.04.2024, report under Section 193 of BNSS was presented on 23.10.2024; but charges are yet to be considered. Thus, trial will take sufficient long time. Also acknowledged by both sides that there is no other criminal case pending against the petitioner.

8. In view of the above, there is no option, except to allow the petition.

9. Consequently, petition is allowed. Petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned Special Court/Chief Judicial Magistrate/Duty Magistrate concerned.

10. Petitioner shall appear on each & every date of hearing and shall fully co-operate with learned Special Court without seeking any unnecessary adjournment(s).



11. The above observations be not construed as an expression of opinion on the merits of the case, in any manner.

12. It is clarified that if there is any recurrence or misuse of concession on the part of the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

17.02.2025

Harish Kumar

**(MAHABIR SINGH SINDHU)
JUDGE**

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