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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.60781 of 2025
Date of Decision: 12.11.2025

Baljinder Lal @ Munga ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Manoj R.Sharma, Advocate,
for the petitioner.

Mr. Vivek Sharma, 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
86	18.07.2025	Taragarh, District Pathankot	21, 27(a) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short ‘NDPS Act’)

2. As per the allegations, on 18.07.2025, the petitioner was found in conscious possession of 10 grams of heroin and drug money of Rs.1970/- which was kept by him in polythene bag. He was formally arrested. Investigation now stands completed.

3. It is argued by learned counsel of the petitioner that he has

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been falsely implicated in this case. A false recovery has been planted which is of non commercial quantity. He is in custody since long. His further incarceration would not serve any useful purpose. The trial will take considerable time to conclude. His involvement in other cases cannot be considered to be a reason for denying benefit of bail to him. It is, thus, urged that the petition deserves to be allowed.

4. Per contra, learned Assistant Advocate General, Punjab has argued that keeping in view the antecedents of the petitioner who is involved in several other cases and the nature of the allegations levelled against him, he does not deserve to be released on bail.

5. This Court has considered the rival submissions.

6. The petitioner is alleged to have found in conscious possession of non commercial quantity of heroin and drug money of Rs.1970/-. He is in custody for a period of three months and 24 days. No doubt, he is shown to be involved in several other cases, however, he cannot be denied benefit of bail due to that reason. The question whether the ingredients of Section 111 of the Bharatiya Nyaya Sanhita, 2023 are attracted in this case and he is a member of an organized crime syndicate, as such it has to be decided on thorough assessment of the evidence to be produced during trial, as at this stage, the allegations make it debatable question. The rigors of Section 37 of NDPS Act are not attracted in this case. In view of the discussion as made above, this Court is of the considered opinion that the petitioner has made out a case for release on bail. Accordingly, the petition is allowed and the

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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.

12.11.2025
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(MANISHA BATRA)
JUDGE

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