

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:164928



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CRM-M-65359-2025 (O&M)
Date of decision:27.11.2025

Sajan Singh @ Pardhan

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

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

Mr. Vivek Sharma, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The present petition has filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking grant of regular bail in case bearing FIR No.50 dated 04.10.2025, registered under Sections 21 and 29 of the NDPS Act, at Police Station Mattewal, District Amritsar Rural.

2. As per the allegations, on 04.10.2025, the petitioner was apprehended on the basis of suspicion and 20 grams of heroin had been recovered from his conscious possession which was taken into custody. The petitioner was formally arrested. Investigation is going on.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. Infact on 04.10.2025, he was picked up from his house at about 05:50 AM and was implicated in this case. A false

recovery has been planted upon him. CCTV camera installed in his house verifies this fact that at the time of his apprehension, he was not carrying or possessing any intoxicant. Even on 30.09.2025, a raid was conducted at his house with an intent to falsely involve him in a case. No disclosure statement has been suffered by him. He is on bail in other cases as registered against him. His other family members have also been involved in such like cases for past sometime and in this regard, even a writ petition had been filed by him. Out of grudge, this case has been foisted upon him. He is not required for further investigation in the matter. Rigors of Section 37 of the NDPS Act are not attracted qua him. The trial will take considerable time to conclude. No purpose is going to be served by keeping him in custody. It is, therefore, urged that the petition deserves to be allowed.

4. Notice of motion.

5. Learned State counsel has advance notice of the petition and has placed on record a copy of custody certificate of the petitioner. He has argued that the petitioner is a habitual offender as he is involved in several other cases. There are chances of his absconding or committing similar offences, if extended benefit of bail. It is, thus, argued that the petitioner is not entitled to be granted the benefit of bail.

6. I have heard rival submissions made by learned counsel for the parties.

7. The petitioner is alleged to have found in conscious possession of 20 grams of heroin which is of non-commercial quantity. He is on bail in other cases as registered against him. His involvement in other cases cannot be considered to be a ground for denying benefit of bail to him. Though, he

has placed on record a compact disc and certain photographs to buttress his contention that he was apprehended from his house, but these CCTV footages cannot be looked into at this stage for the purpose of determining the veracity of the allegations levelled against the petitioner. However, keeping in view the above discussed facts and without meaning to make any comment on the merits of the case, this Court is of the considered opinion that the petitioner has made out a case for his release on bail. Accordingly the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal as well surety bonds to the satisfaction of the trial Court/Duty Magistrate/CJM concerned.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

27.11.2025

harjeet

(MANISHA BATRA)
JUDGE

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