



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-5335-2026
Decided on : 08.04.2026

RAJ SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Karandeep S. Sidhu, Advocate,
for the petitioner.

Mr. Vinay Malhotra, DAG, Punjab.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Raj Singh, aged about 42 years	141	26.10.2021	22 of NDPS Act	Sadar Jalalabad	Fazilka

2. As per the allegations, a recovery of 1,200 intoxicating tablets containing the salt Alprazolam is stated to have been effected from the conscious possession of the petitioner. Upon mathematical calculation, total weight of the recovered substance falls within the ambit of commercial quantity of the contraband.



3. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case on the basis of alleged secret information. It is contended that petitioner has no connection whatsoever with the alleged recovery, and the same has been planted upon him for reasons best known to the investigating agency.

It is further submitted that petitioner is in judicial custody for a period of approximately 1 year and 8 months. *Challan* in the present case was presented on 17.03.2022, and charges were subsequently framed on 14.10.2024. Out of total nine prosecution witnesses, only one witness has been examined, till date. Therefore, conclusion of the trial is likely to take a considerable amount of time.

4. Counsel fairly submits that, apart from the present case, petitioner was previously involved in one other case, i.e., FIR No.79 dated 21.07.2015, registered under Section 15 of the NDPS Act at Police Station Sadar Abohar. However, vide judgment dated 22.07.2019 passed by learned Special Court, Fazilka, petitioner has already been acquitted.

A copy of the said judgment has been produced and taken on record. Registry is directed to tag the same at the appropriate place on the file.

Thus, it is respectfully prayed that petitioner be granted regular bail in the present case.

5. In response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate and status report dated 07.04.2026 in Court today, which are taken on



record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 01 year 08 months and 11 days period inside jail.

6. Learned State counsel, while opposing the prayer and submissions advanced by learned counsel for the petitioner, submits that a substantial quantity of contraband was recovered from the conscious possession of the petitioner. It is contended that, in view of the gravity of the offence and commercial quantity involved, petitioner does not deserve any leniency in the matter of grant of bail. Accordingly, prayer is made for dismissal of the present petition.

7. This Court has heard the submissions addressed by counsel for the parties and has also gone through the record available before it.

8. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, including the total incarceration period undergone by the petitioner and stage of trial, this Court deems it appropriate to grant the concession of bail to the petitioner in the present case.

9. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

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10. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

11. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

12. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

13. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

08.04.2026

Lavisha

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**