

2026.PHHC.048269

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

120-1

CRM-M-7444-2025 (O&M)
Date of decision: 27.03.2026

Harmandeep Singh @ Deep

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Ms. Renu Arora, Advocate for the petitioner.

Mr. Jasjit Singh, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 BNSS is for grant of regular bail to the petitioner in case FIR No.377 dated 07.12.2023, registered under Sections 21, 21(c), 29 of NDPS Act, at Police Station STF, Phase-IV, Mohali.
2. Learned counsel contends that petitioner has been in custody for last 2 years, 3 months, 20 days. No independent witness has been joined at the time of recovery. She alleges false implication by referring time of registration of FIR as also completion of proceedings as no mention of any document with regard to alleged recovery of 4.5 Kgs. heroin from Silver Honda City. Co-accused Amandeep Jethi and Tanuja @ Tanu have been granted bail vide order dated 28.01.2026 as also Jaspal Singh vide order of even date. Challan has been presented on 03.06.2024, charges have been framed on 11.03.2026 and one, out of 31 PWs has been examined. He is not involved in any other case.

3. Learned State counsel opposes the bail on the ground that recovery of commercial quantity of contraband was effected from the petitioner who was apprehended at the spot. However, he is unable to controvert the submissions with regard to custody, stage, petitioner being not involved in any other case and co-accused having been granted bail.

4. Heard.

5. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for last 2 years, 3 months and 20 days; not involved in any other case; co-accused are on bail; challan was presented on 03.06.2024, charges stand framed on 11.03.2026 and out of 31 PWs, only 1 has been examined, the trial is likely to take a considerable time, further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

6. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any

police officer or tamper with the evidence in any manner.

- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

7. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

8. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

27.03.2026
ashok

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