



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

208

CRM-M-12467-2026 (O&M)
Date of decision: 06.04.2026

Nirmal Singh @ Surya

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. RDS Bhullar, Advocate for the petitioner.

Ms. Manjot Kaur, AAG, 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.151 dated 07.08.2025, registered under Sections 21-B, 27-A, 29 NDPS Act (21-C of NDPS Act added later on), at Police Station Chheharta, Amritsar, District Amritsar.
2. Learned counsel contends that petitioner has been in custody for last 7 months, 23 days. His name surfaced based on the disclosure statement of co-accused Lucky from whom 150 grams of heroin was allegedly recovered initially and thereafter 3kgs. & 400 grams. No recovery has been effected from the petitioner. Challan has been presented on 02.02.2026, charges have not been framed and in all there are 25 PWs. He is not involved in any other case under NDPS Act.
3. The custody certificate dated 05.04.2026 along with status report filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for 7 months and 23 days.
4. Learned State counsel opposes the bail on the ground that from the co-accused, commercial quantity of contraband was recovered and petitioner is involved in two more cases under IPC. However, she is unable to controvert the

submissions with regard to stage and petitioner being not involved in any other case under NDPS Act.

5. Heard.

6. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for last 7 months and 23 days; not involved in any other case under NDPS Act; challan stands presented on 02.02.2026, charges are yet to be framed and there are total 25 PWs, 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.

7. 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.

8. 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.

9. 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

06.04.2026
ashok

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