

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH****223****CRM-M-21084-2026 (O&M)****Date of decision : 24.04.2026**

Sonu @Bill

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present : Mr. Sumit Dua, Advocate for the petitioner.

Mr. Rohit Bansal, Sr. DAG Punjab.

SURYA PARTAP SINGH, J.

This petition for bail is the first petition filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023. It has been filed with regard to a case arising out of FIR No.71 dated 17.03.2018, for the commission of offence punishable under Section 22 [Section 29 added later on] of Narcotic Drugs and Psychotropic Substances Act 1985, Police Station Kotwali, District Kapurthala.

2. The FIR of this case came into being at the instance of 'Satpal Singh', Assistant Superintendent, Central Jail, Jalandhar, Kapurthala, who had reported that on 17.03.2018 at about 01:45 P.M., during a meeting of prisoners, petitioner Sonu @Billa (already lodged in an NDPS case) was searched by Warder 'Tarlochan Singh' and 350 intoxicant tablets (38.85 gm Buprenorphine) were recovered from the his possession. As per prosecution, during the course of interrogation, he disclosed that the contraband had been supplied by his brother 'Manvir Singh' and 'Amandeep Singh', who had



come to meet him and smuggled the same into the jail and thereafter, 'Manvir Singh' along with co-accused 'Amanpreet Singh' was apprehended at the jail gate.

3. It is the case of the prosecution that pursuant to abovementioned recovery, requisite formalities with regard to seizure & sealing of contraband, filing of FIR and formal arrest of the accused were completed and further investigation taken up.

4. **Notice of motion.**

5. Mr. Rohit Bansal, Sr. DAG Punjab appears on behalf of respondent-State. Hence service of notice upon the State is hereby dispensed with. The learned State Counsel has filed custody certificate of the petitioner. The same be taken on record. No formal reply has been filed by the State. However, the learned State Counsel has orally opposed the present petition.

6. Heard.

7. The record has been perused carefully.

8. A perusal of the record shows that the petitioner who has been facing trial for the commission of offence punishable under Sections 22 and 29 of the NDPS Act was enlarged on bail by virtue of an order dated 20.09.2018 and thereafter, he participated in the trial. As per record, on 11.09.2025 when the petitioner could not appear before the Court, his bail was cancelled and his bail bonds were forfeited to the State. Subsequently, on 22.12.2025 the petitioner was declared a proclaimed offender. The record



further shows that subsequently, i.e. on 10.02.2026, the petitioner surrendered before the Court and since then he is in custody.

9. A perusal of the record further shows that there are several factors which are required to be taken into consideration at this stage. Those factors are:-

- (i) that earlier the benefit of bail was accorded to the petitioner and the petitioner continued to participate in the trial for a period of more than seven years;
- (ii) that after re-arrest the petitioner is already in custody for a period of two and half months.
- (iii) that the trial is not likely to be concluded in near future;
- (iv) that nothing has been left to be recovered from the possession of petitioner;
- (v) that the detention of the petitioner in judicial lock-up will not serve any purpose;
- (vi) that there is nothing on record to show that if released on bail, the petitioner may tamper with the evidence or influence the witnesses; and
- (vii) that there is nothing on record to show that if released on bail, the petitioner will not co-operate/participate in trial.

10. If the cumulative effect of all the abovementioned factors, involved in the instant case, is taken into consideration, it leads to a conclusion that the petitioner is entitled for the benefit of fresh bail, and that the present petition deserves to be allowed.

11. Accordingly, without commenting anything on the merits of the case, the present petition is hereby ***allowed***. The petitioner is hereby ordered to be released on bail on furnishing personal bond and surety bond(s) to the



satisfaction of learned trial Court. However the abovementioned concession shall be subject to following conditions:-

- (i) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.
- (ii) that the petitioner shall at the time of execution of bond, furnish the address to the Court concerned and shall notify the change in address to the trial Court, till the final decision of the trial; and
- (iii) that the petitioner shall not leave India without prior permission of the trial Court.

(SURYA PARTAP SINGH)
JUDGE

24.04.2026

Vinod

Whether speaking / reasoned
Whether Reportable

Yes/No
Yes/No