



CRM-M-28900-2025

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

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CRM-M-28900-2025
Decided on :02.02.2026

Palwinder Singh @ Vicky

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. R.K. Saini, Advocate for the petitioner.

Mr. Rahul Kumar, AAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of the BNSS, seeking regular bail in FIR No. 09 dated 03.02.2024, registered under Sections 22-C and 29 of the NDPS Act at Police Station Sarai Amant Khan, District Tarn Taran.

2. As per the allegations in the FIR, on 03.02.2024, the petitioner, Palwinder Singh @ Vicky, along with Jasbir Singh @ Khela, was riding a motorcycle when they were noticed by the police team. While driving the motorcycle, petitioner noticed the police and allegedly threw a polythene envelope; however, the same was noticed by a member of the police team. Upon being apprehended, both individuals disclosed their identities, namely Palwinder Singh @ Vicky (the petitioner herein)

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as the driver of the motorcycle and Jasbir Singh @ Khela as the pillion rider. Upon search, 481.50 grams of intoxicant “ice” was recovered.

3. Learned counsel for the petitioner submits that, in fact, petitioner has been falsely implicated in the present case. Petitioner is 40 years of age and, in his past career, he has never been found to be involved in any similar activity. Learned counsel for the petitioner further submits that petitioner is in judicial custody for the last one year, eleven months, and twenty-six days, having been arrested on 03.02.2024. Learned counsel further argues that co-accused of the petitioner, namely Jasbir Singh @ Khela, has already been granted the concession of regular bail by the Coordinate Bench of this Court vide order dated 30.04.2025 (P-3) passed in CRM-M-2420-2025. Thus, prays for grant of regular bail.

4. On the other hand, learned State counsel, while referring to the FIR and the status report, argues that petitioner is the main accused, as he was seen throwing the polythene envelope containing 481.50 grams of intoxicant “ice.” Therefore, he cannot claim parity with the co-accused, Jasbir Singh @ Khela, and accordingly, prays for dismissal of the present petition.

5. I have heard learned counsel for the parties and have carefully perused the paper-book, along with the documents appended thereto, including the status report.

6. Undoubtedly, as per the allegations, petitioner was noticed while allegedly throwing the polythene envelope containing 481.50 grams of intoxicant “ice.” However, the aspect of whether he was the one

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driving the motorcycle at the same time is yet to be examined and requires evidence in this regard. Out of a total of 18 prosecution witnesses, only one has been examined, and another witness has been examined as a party witness. Petitioner is in custody for the period of last one year, eleven months, and twenty-six days; thus, it is evident that the trial is not progressing at the required pace.

Additionally, petitioner has not been involved in any similar activities in the past. In view of the fact that petitioner being a first-time offender, this Court finds that he deserves another opportunity to rehabilitate himself in society. Accordingly, this Court finds merit in the prayer for bail.

Consequently, 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.

7. Any of the discussion done and recorded hereabove, 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.

8. It is further made clear that if, in future, the petitioner is found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.



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9. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

02.02.2026

Rashmi

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*