

2026:PHHC:009697



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

214

CRM-M-46397-2025
Date of Decision: 22.01.2026

PARAMJIT PRABHJOT SINGH @ JYOTI

... Petitioner

VERSUS

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL.

Present: Mr. Chandan Singh Rana, Advocate for
the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

H.S. GREWAL, J. (ORAL)

This petition has been filed under Section 483 Bharatiya Nagrik Suraksha Sanhita, 2023 seeking regular bail for the petitioner in case FIR No.385 dated 22.12.2023 under Sections 21 and 29 of the NDPS Act, 1985 (Sections 21(b), 21(c) and 27 of the NDPS Act, 1985 added later on) registered at Police Station STF, S.A.S. Nagar, District S.A.S. Nagar (Mohali).

2. The case of the prosecution is that 800 grams of Heroin was recovered from the conscious possession of the petitioner, pursuant to which, he has been arrested in the present case.

3. Learned counsel for the petitioner contends that allegations against the petitioner are general and vague. He has been implicated falsely in the present case. He further submits that the petitioner is in custody for the last more than two years. It is further stated that charges against the petitioner have been framed, however, out of 20 cited witnesses, only 10 have been examined till date. Furthermore, learned counsel for the petitioner has handed over today in Court the zimini orders passed by the trial Court. A perusal of the same shows that on certain occasions the jail authorities did not produce the petitioner before the trial Court and on certain other dates, the prosecution witnesses, who are the police officials, had not appeared

before the trial Court notwithstanding thatailable warrants have been ordered to be issued against them. From the above, it is apparently clear that the trial is being delayed on one pretext or the other. It appears that the trial of the case would still take a long time to conclude.

4. Learned State Counsel, on the other hand, vehemently opposes the petition for grant of bail on the ground that there is an active role of the petitioner in the commission of the offence in question. Hence, he prays for dismissal of the present petition. Custody certificate has been filed by the State Counsel, which is taken on record. As per the said certificate, the petitioner is in custody for the last more than two years.

5. I have heard the learned counsel for the parties and perused the record.

6. Keeping in view the facts and circumstances of the case and taking into consideration the fact that the petitioner is in custody for the last more than two years coupled with the fact the trial of the case has not made much headway, due to which the trial against the petitioner might take a long time to conclude, this Court is of the opinion that the petitioner deserves concession of regular bail. Moreover, bail is rule and jail is exception. Since the continuous incarceration of the petitioner would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

8. It is clarified that if while on bail so granted through the instant order, the petitioner is found indulged in any other criminal case/activity, it shall be open to the State to seek cancellation of his bail.

9. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

JANUARY 22, 2026.
Rajender

(H.S. GREWAL)
JUDGE

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