

2026.PHHC.041127



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

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CRM-M-34372-2025 (O & M)

Date of decision: 17.03.2026

Ramneet Singh @ Billa

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Barjinder Singh, Advocate for the petitioner.

Mr. Manipal Singh Atwal, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 of BNSS, 2023, is for grant of regular bail to the petitioner in case FIR No.140 dated 26.11.2023, registered under Sections 21, 22(b) of the NDPS Act, 1985 at Police Station City, Nakodar, District Jalandhar (Rural).

2. Learned counsel contends that the petitioner has been in custody for 2 years and 24 days. The alleged recovery from the petitioner is marginally above the non-commercial quantity of contraband, it being 24.18 grams of Buprenorphine. The interim bail granted as FSL had not been received which he did not misuse and surrendered. Charges have been framed on 07.05.2024 and only 5 PWs, out of 10, have been examined. He is involved in one more case under the NDPS Act, involving the non-commercial quantity of contraband, wherein he is on bail. Reliance is placed on the judgment passed by Hon'ble The Supreme

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Court titled as **Maulana Mohd. Amir Rashadi vs. State of U.P. and others**, 2012(2) SCC 382.

3. The custody certificate dated 16.03.2026, filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for 2 years and 24 days.

4. Learned State counsel opposes the bail on the ground that the commercial quantity of contraband has been recovered from the petitioner who was arrested at the spot. However, he is unable to controvert the submissions with regard to stage, petitioner being on bail in another case under the NDPS Act and never misused the concession of bail.

5. Heard.

6. Hon'ble The Supreme Court in the case of **Maulana Mohd. Amir Rashadi** (Supra) had held that, "As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court etc."

7. This Court had granted the concession of bail in **Karandeep Singh @ Sunny vs. State of Punjab**, CRM-M-9712-2021, on 06.09.2021, a case of recovery of 270 and 150 grams of heroin from two accused, being marginally higher than non-commercial quantity after about 11 months. Similarly in **Simrapal Singh vs. UOI**, CRM-M-10276-2021, on 17.09.2021, the custody being of about 1 year and the recovery of 1.5 grams of charas, marginally above non-commercial quantity, against which the SLP filed by UOI was dismissed on 23.01.2023, in

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Basanti Mondal and Ors. vs. State of West Bengal, SLP (Crl.)

No.12586/2022 on 29.03.2023, to the lady after 1 year of custody, recovery being of 6548 bottles, each contained 100 ml of phensedyl cough linctus codeine and in **Munasi Masih vs. State of Punjab**, CRM-M-31504-2022, on 06.2.2023, wherein commercial quantity of contraband had been recovered but only 2 out of 13 PWs had been examined.

8. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for last 2 years, 24 days; on bail in another case; never misused the concession of bail earlier granted; charges were framed on 07.05.2024, but out of 10 PWs, only 5, have been examined, the trial is likely to take a considerable time, and 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.

9. 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 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 her 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.

10. 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.

11. 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.

17.03.2026

ashok

(AMAN CHAUDHARY)
JUDGE

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