



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

102

CRM-M-42901-2025
Decided on : 07.03.2026

BACHITTAR SINGH @ GHUGGI
.....Petitioner
Versus
STATE OF PUNJAB
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Raghav Soni, Advocate
for the petitioner.
Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Bachittar Singh alias Ghuggi, aged about 35 years	161	25.07.2018	21, 22, 29, 61, 85 of NDPS Act	Chheharta	Amritsar

2. Learned counsel for the petitioner contends that, as per the case of the prosecution, three accused namely Karanbir Singh alias Jagga, Jasbir Singh alias Jassa and Satnam Singh alias Sattu were allegedly found travelling together on one motorcycle. Upon being intercepted by



the police, the said motorcycle was searched and a polythene packet containing 910 intoxicant tablets was recovered near the meter cover. Apart from the intoxicant tablets, 10 grams of heroin was also allegedly recovered from a polythene bag.

It is further contended that the salt content recovered from the tablets was found to be 116.480 grams of Alprazolam, which falls within the category of commercial quantity under the NDPS Act.

3. Counsel for the petitioner submits that during the course of investigation, co-accused allegedly disclosed that he used to purchase heroin and intoxicant tablets from the present petitioner, and on the basis of the said disclosure statement, petitioner was nominated in the present case.

Further submits that petitioner has been nominated solely on the basis of the disclosure statement of the co-accused, which is not admissible in the eyes of law and is a matter to be examined during the course of trial. Except of the said disclosure statement, no other connecting evidence is available against the petitioner.

4. It is also submitted that on 26.07.2018, petitioner was initially taken into custody and thereafter, on 01.10.2018, he was released on interim bail by the Court of learned Additional Sessions Judge, Amritsar. Due to certain miscommunication, petitioner remained absent before learned trial Court and consequently, on 14.02.2022, his bail and surety bonds were forfeited to the State and he was declared a proclaimed offender. Thereafter, petitioner was again taken into custody on



13.05.2024 and is in custody since then. Therefore, total period of custody undergone by the petitioner is more than 01 year and 06 months.

Challan has already been presented and out of 09 prosecution witnesses, 05 have been examined. However, conclusion of trial is likely to take considerable time. Therefore, no useful purpose would be served by keeping the petitioner behind bars for an indefinite period. Thus, learned counsel prays that petitioner be granted the concession of regular bail in the present case.

5. In response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 06.03.2026 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 01 years 06 months and 20 days period inside jail.

6. This Court has heard the submissions addressed by counsel for the parties and has also gone through the record available before it.

7. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, including the total incarceration period undergone by him and slow pace of trial, this Court deems it appropriate to grant the concession of bail to the petitioner in the present case.

Consequently, prayer made in the 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



CRM-M-42901-2025 4

Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. Any of the discussion done and recorded here above, 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.

10. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

11. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

07.03.2026
Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO