



CRM-M-56742-2025

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

115-3

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Decided on :09.03.2026

Pargat Singh @ Kala

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Raghav Soni, Advocate for the petitioner.

Mr. Neeraj Madaan, Sr.DAG, Punjab.

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SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No.57 dated 09.05.2025, under Sections 21-B, 29, 27-A of NDPS Act, (Sections 61 and 85 of NDPS Act were added later on), registered at Police Station Sultanwind, Amrtisar.

2. On seeing the patrolling team, two clean-shaven young men appeared terrified and immediately attempted to run away. One of them tried to throw a polythene bag but was apprehended and disclosed his name as Satnam Singh @ Sajan, while the other disclosed his name as Pargat Singh @ Kala. From the transparent envelope carried by Pargat Singh @ Kala, currency amounting to Rs.1,200/- (Rs.500 + Rs.500 + Rs.200) along with heroin weighing 12.66 grams was recovered.

From the transparent envelope held by accused Satnam Singh @ Sajan, heroin weighing 9.18 grams was recovered.

3. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. Counsel also submits that the

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quantity of heroin allegedly recovered, 12.66 grams, is small and falls under the category of non-commercial quantity. Counsel also submits that the question of conscious possession of the contraband by Pargat Singh is a matter to be determined during the trial and cannot form a basis for denying bail at this stage.

Learned counsel further submits that petitioner is in custody since 09.05.2025 and out of the total 13 prosecution witnesses, none has been examined till date, thus, trial is likely to take considerable time to conclude. Accordingly, he prays for the grant of regular bail to the petitioner.

4. On the other hand, learned State counsel submits that Pargat Singh @ Kala was apprehended on the spot by the patrolling team along with co-accused Satnam Singh @ Sajan. Counsel further submits that from the transparent envelope carried by Pargat Singh @ Kala, currency amounting to Rs.1,200/- along with heroin weighing 12.66 grams was recovered, which establishes his connection with the offence, therefore, prays for dismissal of present petition.

5. I have heard Learned Counsel for the parties and perused the paper book and the documents appended thereto.

6. Considering the facts and circumstances of the case, particularly that petitioner is in custody since 09.05.2025, that out of the total 13 prosecution witnesses none has been examined so far, and that the trial is likely to take considerable time to conclude, this Court is of



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the view that continued incarceration would serve no useful purpose. It is further noticed that the quantity of heroin allegedly recovered from him, 12.66 grams, falls within the category of non-commercial quantity, and the question of conscious possession of the contraband is a matter to be determined during the trial.

Without commenting on the merits of the case, 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 Judicial Magistrate/Illaq 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. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

09.03.2026

Rashmi

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