



CRM-M-67352-2025

1

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

234

CRM-M-67352-2025

Decided on :17.02.2026

Jaswinder Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Damanjit Singh Sandhu, Advocate for the petitioner.

Mr. Jasdeep Singh Addl. A.G., Punjab.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in connection with FIR No. 139 dated 25.12.2024(P-1), under Section 21 of NDPS Act, registered at Police Sadar Banga, District SBS Nagar, Punjab.

2. As per the case of the prosecution, recovery of 283 grams of heroin was effected from the gear lever of the car bearing registration No. PB17-C-7605, while the petitioner was driving the said vehicle.

3. Learned counsel for the petitioner submits that petitioner is in custody since 25.12.2024, and out of a total of 15 prosecution witnesses, only 02 have been examined to date. Counsel further contends that a false case has been registered against him, as he has never been found involved in any similar activity in the past and has clean antecedents, therefore, counsel prays for grant of regular bail.

4. On the other hand, learned State counsel, while opposing the bail petition, submits that petitioner was driving the car at the time the

**CRM-M-67352-2025****2**

recovery was effected and, therefore, was in possession of the vehicle. Learned State counsel submits that the quantity recovered falls within the commercial quantity and attracts the rigours of the relevant provisions of law. Learned State counsel further contends that the offence alleged is serious in nature and has grave societal repercussions, therefore, prays for dismissal of present petition.

5. I have heard learned counsel for the parties and perused the paper-book as well as the documents appended thereto.

6. Admittedly, petitioner is 35 years of age, and no other case has been found registered against him. Whether the present case is false or true shall be ascertained during trial. The recovery was effected from the gear box of the car and not from the conscious and exclusive possession of the petitioner. Petitioner is in custody since 25.12.2024, and the trial is likely to take considerable time, particularly when only two out of fifteen prosecution witnesses have been examined so far.

Considering that petitioner is a first-time offender with no criminal antecedents, and keeping in view the period of custody already undergone, this Court is of the opinion that further incarceration would serve no useful purpose. Without commenting on the merits of the case, and while leaving all issues to be adjudicated during trial, this Court finds merit in the present petition. Accordingly, 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/

**CRM-M-67352-2025****3**

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.

9. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

17.02.2026***Rashmi***

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No