

122 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026 PHHC 042305



CRM-M-69767-2025 (O&M)

Date of Decision: 18.03.2026

JASVIR SINGH ALIAS JASBIR SINGH ALIAS SHEER

... PETITIONER

VERSUS

STATE OF PUNJAB

... RESPONDENT

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

Present:- Mr. Ruhani Chadha, Advocate for the petitioner.
Mr. Parneet Singh Pandher, A.A.G., Punjab assisted by
DSP Karnail Singh, Bholath and SI Balvir Singh.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) in FIR No.210 dated 31.12.2021 registered under Section 22 of Narcotic Drugs and Psychotropic Substances Act (Section 29 of NDPS Act added later on) at Police Station Subhanpur, District Kapurthala.

2. The case of the prosecution is that petitioner was apprehended with 130 gms of intoxicating power in a transparent polythene bag which he was holding in his right hand and was later on identified as Alprazolam. It is further alleged that upon seeing the police party, the petitioner threw the said polythene bag and later on admitted that it was an intoxicating substance.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. The petitioner has been implicated by the officials of the same police station a number of times before and the police personnels are inimical towards him. He further submits that the story of the prosecution is concocted and unbelievable as no person would openly carry a banned substance in his hand without concealing it and that too in a transparent polythene bag. The petitioner is in custody for the last 09 months

4. Learned State counsel vehemently opposed the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations. Learned State counsel has filed the custody certificate in Court, which is taken on record. He further submits that as per the custody certificate, the petitioner is in custody for the last 09 months and 26 days and is involved in 13 more cases.

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

6. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case, this Court is of the *prima facie* view that the petitioner appears to have been falsely implicated as no contraband is carried in such a manner by openly displaying it in a transparent polythene bag; the petitioner is in custody for the last 09 months and 26 days; the trial is likely to take a long time and continuous detention 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. Moreover, '*bail is rule and jail is exception*'.

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 bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

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

(H.S.GREWAL)
JUDGE

18.03.2026

Janki

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