

2026:PHHC:020118



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-73396-2025

Date of decision: 10th February, 2026

Ajmer Singh @ Soni

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ashok Giri, Advocate for the petitioner.

Mr. Roshandeep Singh, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The instant one is the second petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 49 dated 05.04.2025 registered under Sections 22 of Narcotic Drugs and Psychotropic Substance Act, 1985 (for short 'NDPS Act') (Section 27 of NDPS added later on) at Police Station Sri Anandpur Sahib, District Rupnagar. His previous petition bearing CRM-M-36120-2025, had been dismissed as withdrawn vide order dated 10.09.2025.

2. As per the allegations, on 05.04.2025, the petitioner was apprehended by police officials on suspicion and 50.05 grams of tramadol hydrochloride tablets were recovered from his conscious possession which were taken into possessions. He was formally arrested. Investigation now

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stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. Even after withdrawal of his previous petition on 10.02.2025, the trial has not progressed much further as only 01 out of 17 prosecution witnesses, has been examined so far. He is in continued incarceration for a period of over ten months. The rigors of Section 37 of NDPS Act are not attracted against him. His further incarceration would not serve any useful purpose. Therefore, it is argued that he deserves to be released on bail.

4. Status report and custody certificate have been filed by respondent-State. Learned State counsel has submitted that there are serious allegations against the petitioner. He is a habitual offender being involved in as many as five more cases of similar nature. There are chances of his absconding or committing similar offences if extended benefit of bail. Therefore, it is stressed that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length.

6. The petitioner is in custody since 05.04.2025. Only 01 out of 17 prosecution witnesses, has been examined so far and therefore, there are no chances of conclusion of the trial in near future. The contraband allegedly recovered from the possession of the petitioner was of non-commercial quantity. No useful purpose would be served by further detention of the petitioner. It is well settled proposition of law that bail is the rule and jail is an

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exception. It is also well settled that pre-trial incarceration should not be a replica of post-conviction sentence.

7. On analysing the above discussed facts, this Court is of the considered opining that the petition deserves to be allowed. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal as well as surety bonds to the satisfaction of the learned trial Court, and subject to the condition that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case. He shall appear before the learned trial Court on each and every date of hearing except when his presence is exempted by the trial Court. He shall surrender his passport, if any, furnish details of his cell phone and Aadhar card, and shall not change his mobile number(s) during the pendency of the trial.

8. It is clarified that the observations made above shall not be construed as an expression of opinion of this Court on the merits of the case and shall not influence the outcome of the trial in any manner.

9. Since the main petition has already been decided, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

10th February, 2026
Parveen Sharma

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|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |