



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

223

CRM-M-943-2025

Decided on : 16.01.2025

Anmol Singh

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Vipin Mahajan, Advocate
for the petitioner(s).

Mr. Amandeep Singh, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023, for grant of regular bail to the petitioner – Anmol Singh, who has been booked for having committed the offence punishable under Section 21 of the NDPS Act, 1985, in FIR No. 82, dated 23.06.2024, registered at Police Station Ghuman, Police District Batala, District Gurdaspur, Punjab, during the pendency of trial.

2. Allegation leveled by the prosecution is that petitioner – Anmol Singh, was found in possession of 255 grams of Heroin, which was recovered during the procedure of search of I-20 Car bearing registration No.DL-8C-AC-0126.

3. Counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He is a serving army official and in fact, due to scuffle with police at Naka, a false recovery of 255 grams of intoxicant powder i.e. Heroin was planted upon him. Further submits that so



far as the quantity recovered from the petitioner is concerned, that too is little above the commercial quantity i.e. 250 grams and petitioner is not involved in any other case of similar nature. Besides, he is inside jail since 23.06.2024 (about seven months), and his further incarceration is not worth in this case. Thus, prays for granting the concession of regular bail to the petitioner.

4. *Per contra*, learned State counsel while vehemently opposing the prayer of the petitioner, submits that investigation in the case has been completed. However, formal challan is yet to be presented.

Besides, he does not dispute the submissions addressed by counsel for the petitioner, as recorded here-above.

5. After considering the submissions of both the sides, perusing the record with their able assistance, and considering the quantity being little more than commercial quantity as well as keeping in view the total period of incarceration and the fact that challan is yet to be submitted before the trial Court, the petitioner cannot be kept behind bars for an indefinite period.

6. Consequently, the prayer made in the present petition is allowed. Petitioner is ordered to be released on bail in this case, subject to his furnishing bail/surety bonds to the satisfaction of the learned Trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

8. The observation made here-in-above shall not be construed as



an expression on the merits of the case and the Trial Court shall decide the case on the basis of evidence available on record.

9. It is further made clear that if in future petitioner is found indulged in similar kind of activities, prosecution would be at liberty to seek cancellation of bail in the present case.

10. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

January 16, 2025

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No