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

CRM-M-61304-2024

Date of Decision: 21.03.2025

AMRITPAL SINGH

....Petitioner(s)

VERSUS

STATE OF PUNJAB

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sanjeev Sharma, Advocate
for the petitioner.

Mr. Amandeep Singh, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Petitioner – Amritpal Singh, aged 24 years, has filed the present petition under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Amritpal Singh	85	13.09.2023	22(c)29,61,8 5 of NDPS Act	Badali Ala Singh	Fatehgarh Sahib

2. Brief facts of the case are that co-accused Harminder Singh, was apprehended on 13.09.2023 with 1025 tablets of Lomitol. On 16.09.2023, name of the petitioner was disclosed by co-accused Harwinder Singh to the effect that said tablets were supplied by the present petitioner Amritpal Singh.



3. By referring to the order dated 13.08.2024 (Annexure P-4) passed in the bail application of accused Dharminder Sharma @ Tinda, counsel submits that co-accused Vikramjeet Singh, Kamaljit Singh and Musu were also involved in the case just to increase the number of accused persons.

Only evidence upon which case of the prosecution depends is the disclosure statement, and nothing has been recovered from the possession of the present petitioner.

4. Counsel submits that co-accused Dharminder Sharma @ Tinda has been granted regular bail by this Court vide order dated 13.08.2024 passed in CRM-M-38292-2024 (Annexure P-4) and was ordered to be released when he had completed only one month of the custody period. Another co-accused namely Vikramjeet Singh also, earned the concession of anticipatory bail vide order dated 20.10.2023 passed in CRM-M-53687-2023 (Annexure P-3).

Counsel further submits that petitioner is inside jail since 02.09.2024 and thus, on the basis of parity also, he prays for grant of bail.

5. On the other hand, on advance notice and in response to the arguments addressed by learned counsel for the petitioner, learned State counsel argues that after completion of investigation, challan has been submitted and charges are yet to be framed against the present petitioner as he was arrested subsequently. He does not dispute that the process of recording of prosecution evidence is yet to start.

Status report along with custody certificate dated 20.03.2025 has been filed by learned State counsel in Court today and the same are



taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

6. By referring to the custody certificate, learned DAG Punjab, submits that petitioner is facing prosecution in one more criminal case under NDPS Act i.e. FIR No.134 dated 11.12.2019 under Sections 21, 61, 85 of NDPS Act, registered at Police Station STF 4.

Thus, opposes the prayer for grant of bail.

7. After considering the submissions, I find that other co-accused namely Dharmender Sharma @ Tinda has also been granted regular bail by the Co-ordinate Bench of this Court vide order dated 13.08.2024 passed in CRM-M-38292-2024; another co-accused Vikramjeet Singh has been granted the concession of anticipatory bail vide order dated 20.10.2023 passed in CRM-M-53687-2023. By order of even date passed in CRM-M-50025-2024, main accused Harwinder Singh has also been granted regular bail.

8. After considering the circumstances in its entirety, and that evidence of prosecution is yet to start and in the present case, no recovery of any contraband is shown to be recovered by the prosecution agency from the possession of the present petition.

9. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, the Court deems it appropriate to grant the concession of bail to the petitioner.

10. Consequently, prayer made in 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

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Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

11. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

12. The observation made hereinabove shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

13. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

Petition stands disposed of.

March 21, 2025
Sangeeta

(SANJAY VASHISTH)
JUDGE

Whether reasoned/speaking:
Whether reportable:

Yes/No
Yes/No