



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

104+208

**CRM-M-64523-2024 (O&M)
Date of Decision: 15.02.2025**

Tarsem Lal @ Bittu

... Petitioner

Versus

Union of India

... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

PRESENT: Mr. Jagbir Singh Brar, Advocate for the petitioner.

Mr. Akash Vashisth, Advocate,
for the respondent-NCB.

MAHABIR SINGH SINDHU, J.

CRM-4448-2025

Application for placing on record reply by way of affidavit of Ms. Poornima G.N., Intelligence Officer, Chandigarh, on behalf of the respondent is taken on record.

Registry to do the needful.

Main case

Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short, 'BNSS'*), for grant of bail pending trial to the petitioner in case crime No.20/2024 dated 27.09.2024, under Sections 8, 18, 23, 28 & 29 of the Narcotic Drugs and Psychotropic



Substances Act, 1985 (*for short, 'NSPS Act'*) registered at Police Station Narcotics Control Bureau, Chandigarh.

2. Allegations are that petitioner received an amount of Rs.14,000/- through Google Pay from co-accused, Satnam Singh, who was apprehended along with Opium weighing 91 grams concealed in two pouches from a parcel having AWB No.9243383612, which was destined for Canada.

3. Contends that recovery alleged against the petitioner is only 91 grams of Opium, which is non-commercial in nature; he is in custody since 10.10.2024; final report under Section 193 of BNSS has already been presented; thus, conclusion of trial will take sufficient long time. Also contends that co-accused Lakhvir Singh has already been granted the concession of regular bail by this Court vide order dated 08.01.2025, passed in CRM-M-62202-2024.

4. *Per contra*, learned State counsel opposes the prayer and on instructions, submits that allegations against the petitioner are serious in nature.

5. Heard both sides and perused the paper-book.

6. Concededly, petitioner is in custody since 10.10.2024; recovery alleged against the petitioner is non-commercial in nature; report under Section 193 of the BNSS has already been submitted and as such, the conclusion of trial will take sufficient long time. It is not the allegation of State that in case, petitioner is released on bail, he may influence the witnesses



or hamper the course of trial, in any manner; thus, further incarceration of petitioner would not serve any purpose.

7. Consequently, present petition is allowed; petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned Special Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8. Petitioner shall appear on each & every date of hearing and fully co-operate with learned trial Court without seeking any unnecessary adjournments.

9. Above observations be not construed as an expression of opinion on the merits of the case, in any manner.

10. It is clarified that in case there is recurrence or any misuse of concession of bail on the part of the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

15.02.2025

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**(MAHABIR SINGH SINDHU)
JUDGE**

Whether speaking/ reasoned : Yes / No

Whether reportable : Yes / No