



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

264

**CRM-M-56319-2024 (O&M)
Date of Decision:- 06.05.2025**

NARINDER SINGH ALIAS NINDI

...Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. J.S. Dhaliwal, Advocate for the petitioner.

Mr. Iqbalpreet Singh, AAG Punjab.

SANJIV BERRY, J. (ORAL)

1. Status report dated 17.03.2025 filed in the form of an affidavit of Deputy Superintendent of Police, City-I, Bathinda is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. Arguments heard.

3. The instant petition has been preferred by the petitioner under Section 483 BNSS, 2023 for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
147	23.08.2024	21(b) and 27 of the NDPS Act	Canal Colony Bathinda, District Bathinda, Punjab

4. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He



contends that the recovery effected from the petitioner and co-accused Sonu Singh has been planted upon them and even otherwise the alleged recovery falls within the category of non-commercial quantity. He submits that the petitioner is in custody since 23.08.2024 and after the completion of investigation, challan has been presented in Court and the conclusion of trial will take sufficient long time. Thus, prays for grant of concession of bail to the petitioner.

5. *Per contra*, learned State counsel while referring to the reply filed by the State has opposed the petition on the ground that 45 grams of heroin along with ₹1,84,000/- drug money had been recovered from the conscious possession of the petitioner and co-accused Sonu Singh. He has, however, not disputed the fact that the alleged recovery falls within the ambit of non-commercial quantity.

6. After considering the rival contentions and perusing the record, it transpires that as per the case of prosecution on 23.08.2024, the police party apprehended the petitioner along with co-accused Sonu Singh on suspicion and upon search 45 grams of heroin along with ₹1,84,000/- cash was allegedly recovered from them. Accordingly, the petitioner along with co-accused Sonu Singh were arrested. Admittedly, the said recovery does not fall within the purview of commercial quantity so as to attract the rigors of Section 37 of the NDPS Act. The petitioner is in custody since 23.08.2024 and after the completion of investigation, challan has been presented in Court, wherein the prosecution has cited 13 witnesses and none has been examined till date. The criminal liability, if any, of the petitioner,



could only be determined after the conclusion of trial, which may take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.

7. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

8. It is further made clear that in case the petitioner is again found involved in any case under NDPS Act, in future, after his release on bail, it will be open for the prosecution to move an application for cancellation of his bail in accordance with law.

9. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

06.05.2025

S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No