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

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**CRM-M-63222-2024 (O&M)  
Date of decision: 10.07.2025**

**Amritpal Singh @ Amrit**

**...Petitioner**

**Versus**

**State of Punjab**

**...Respondent**

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Umesh Sharma, Advocate  
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

**MANISHA BATRA, J. (Oral)**

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 13 dated 02.02.2021, registered under Sections 21(C) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) and Section 25 of the Arms Act at Police Station Bullowal, District Hoshiarpur.

2. Brief facts of the case relevant for the disposal of the present petition are that on 02.12.2021, the petitioner was apprehended by a police party and recovery of 250 grams of heroin was effected from him. Upon interrogation, he suffered disclosure statement to the effect that in the year 2018, he had come in contact with co-accused Ranjit Singh @ Raja, Jange and Imran Khan @ Doctor, who were indulged in the illegal business of selling heroin. He also joined them. He further disclosed that during

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lockdown in the country, he had sold 600 grams of heroin to one Aman Rana for Rs.12.5 Lakhs along with one .32 bore pistol. The petitioner was granted concession of regular bail by the Court of learned Judge, Special Court, vide order dated 01.04.2021. After completion of necessary investigation and usual formalities, *challan* under Section 173 of Cr.P.C. was presented in the Court on 09.08.2021. However, during the course of trial, the petitioner absented from the Court proceedings and his bail was cancelled on 28.02.2023. Thereafter, proclamation proceedings were initiated against him and ultimately he was declared a proclaimed offender. The petitioner was arrested in some other case on 08.09.2023 and was taken into custody in this case as well by way of production warrant on 15.02.2024. Since then, he is in custody. Trial is going on.

3. Learned counsel for the petitioner has argued that he has been falsely implicated in this case. He was previously granted concession of bail by the learned trial Court but the same was cancelled on 28.02.2023 due to his non-appearance before the Court. It is further submitted that the non-appearance of the petitioner before the learned trial Court was neither intentional nor deliberate. After his re-arrest, he is in custody since 15.02.2024. Conclusion of trial is likely to take time. No useful purpose would be served by keeping him in custody anymore. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Status report has been filed by the respondent-State. It is submitted therein and learned Assistant Advocate General, Punjab has argued that the petitioner is not entitled to get benefit of bail as he was

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nabbed at the spot and recovery of commercial quantity of heroin was effected from him. He had absconded from the Court proceedings and had been declared a proclaimed offender. He is involved in three more cases of similar nature. Trial may be expedited. It is also argued that if the petitioner is released on bail, he can again abscond or indulge in similar offences. Hence, it is urged that the petition is liable to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

6. Admittedly, the petitioner had been granted concession of regular bail by the learned trial Court and was regularly appearing before the Court concerned. However, his bail had been cancelled on account of his non-appearance before the Court. After having been taken into custody in this case on production warrant on 15.02.2024, he is continuing to be in jail. The trial is likely to take time. Keeping in view the aforesaid facts, I am of the considered opinion that no useful purpose would be served by keeping him in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal bonds as well as two sureties to the satisfaction of the trial Court/Duty Magistrate concerned. His release on bail shall further be subject to following conditions:

- (i) He shall mark his presence before the SHO of the police station concerned at 11:00 AM on first Monday of every month till conclusion of trial;
- (ii) He shall not directly or indirectly make any inducement, threat or promise to any person/witness acquainted with the facts of the

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case so as to dissuade him/her from disclosing such facts to the Court or to any Police Officer.

(iii) He shall not commit any similar offence while on bail.

7. In case of violation of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

8. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

**10.07.2025**

*Wassem Ansari*

**(MANISHA BATRA)  
JUDGE**

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*