



CRM-M-14945-2024(O&amp;M)

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

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CRM-M-14945-2024(O&amp;M)

Decided on :06.05.2025

ARWINDER SINGH @ SONU

. . . Petitioner(s)

Versus

STATE OF PUNJAB

. . . Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Ruhani Chadha, Advocate for the petitioner.

Mr. Manvinder Singh Bhullar, DAG, Punjab.

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**SANJAY VASHISTH, J. (Oral)**

1. Present petition has been filed under Section 439 of Cr.P.C., seeking regular bail in case FIR No. 74 dated 10.05.2022, under Sections 21, 22, 29 of NDPS Act, 1985 and Section 61 of Punjab Excise Act, 1961 (Section 27-A of NDPS Act was added later on), registered at Police Station Division No.2, District Jalandhar, Punjab.

2. Learned counsel for the petitioner argues that a recovery of 330 grams of heroin was effected from the house of the petitioner on 10.05.2022. Upon completion of the investigation, the challan was submitted on 03.11.2022, and charges were subsequently framed on 03.02.2023. Out of a total of 17 prosecution witnesses, only two have been examined so far, and the culmination of the trial is likely to take a considerable amount of time.

Counsel further submits that the petitioner has been in custody for approximately the last three years, and therefore, considering



the period of his incarceration, he may be granted the concession of regular bail.

3. On the other hand, learned State counsel has filed a reply-cum-status report by way of an affidavit of Nirmal Singh, PPS, Assistant Commissioner of Police, Sub-Division Central, Jalandhar, on behalf of the respondent/State, in Court today. The same is taken on record. The Registry is directed to tag the said affidavit at the appropriate place in the paper-book.

Learned State counsel opposes the grant of regular bail to the petitioner, submitting that he is involved in a total of 29 criminal cases, including the present one. In this regard, learned State counsel refers to paragraph No. 4 of the reply, which reads as under:

Sr. No.	FIR Details	Case Status	Hon'ble Court
1	FIR-92, Dated 12-04-2023 U/s 13/3/67 Punjab Gambling Act, PS Division-3, Jalandhar	Convicted on 08-04-2024	Sh. Amit Kumar Garg, ACJM, Jalandhar
2	FIR-266, Dated 20-11-2013 U/s 61/1/14 Punjab Excise Act, PS Division-3, Jalandhar	Acquitted on 17-01-2019	Sh. Aashish Abrol, CJM, Jalandhar
3	FIR-31 Dated 08-03-2016 U/s 61/1/14 Punjab Excise Act, PS Division-1, Jalandhar	Acquitted on 15-03-2024	Sh. Ravtresh Inderjit Singh, JMIC, Jalandhar
4	FIR-139 Dated 21-06-2015 U/s 61/1/14 Punjab Excise Act, PS Division -8, Jalandhar	Acquitted on 02-12-2021	Smt. Shilpa Singh, JMIC, Jalandhar
5	FIR-8, Dated 20-11-2013 Section 379 IPC, PS Division-8, Jalandhar	Acquitted on 07-01-2023	Smt. Shilpa Singh, JMIC, Jalandhar
6	FIR-19, Dated 23.01.2017 Section 353/186/332/337 IPC, Section 61 of Punjab Excise Act, Section 181 of Motor Vehicle Act, PS Division-8, Jalandhar	Acquitted on 13-12-2024	Sh. Varun Deep Chopra, JMIC, Jalandhar
7	FIR-85, Dated 05-05-2017	Convicted on 08-	Smt. Shilpa Singh,



	U/s 61/1/14 Punjab Excise Act, Section 420 IPC, PS Divisoin-8, Jalandhar	08-2023	JMIC, Jalandhar
8	FIR-14, Dated 31-01-2019 U/s 61/1/14 Punjab Excise Act, PS Division-8, Jalandhar	Acquitted on 05-09-2023	Smt. Shilpa Singh, JMIC, Jalandhar
9	FIR-59, Dated 05-06-2012, U/s 61/1/14 Punjab Excise Act, PS Division -3, Jalandhar	Convicted on 13-06-2012	Sh. Aashish Abrol, CJM, Jalandhar
10	FIR-120, Dated 06-05-2013 U/s 22/61/85 NDPS Act, PS Navi Baradari, Jalandhar	Acquitted on 18-02-2016	Sh. Harbans Singh Lekhi, Special Court Jalandhar
11	FIR-40, Dated 15-03-2014 U/s 61/1/14 Punjab Excise Act, PS Division -3, Jalandhar	Convicted on 18-05-2017	Smt. Rashmi Sharma, ACJM, Jalandhar
12	FIR-208, Dated 29-10-2015 U/s 61/1/14 Punjab Excise Act, PS Division -8, Jalandhar	Convicted on 03-10-2015	Sh. Raj Pal Singh, JMIC, Jalandhar
13	FIR-58, Dated 14-04-2017 U/s 61 Punjab Excise Act, PS Division-3,Jalandhar	Acquitted on 05-07-2023	Sh. Parinder Singh, ACJM, Jalandhar
14	FIR-214, Dated 07-10-2017 U/s 61/1/14 Punjab Excise Act, PS Division -1, Jalandhar	Acquitted on 16-01-2024	Sh. Ravtresh Inderjit Singh, JMIC, Jalandhar
15	FIR-79, Dated 11-04-2015 U/s 22/61/85 NDPS Act, PS Division -8, Jalandhar	Acquitted on 14-03-2018	Smt. Harveen Bhardwaj, Special Court Jalandhar
16	FIR-222, Dated 21-10-2019 U/s 61/1/14 Punjab Excise Act, Section 420 IPC, PS Rama Mandi, Jalandhar	Acquitted on 01-08-2024	Sh. Mohinder Partap Singh Libra, JMIC, Jalandhar
17	FIR-57, Dated 15-04-2014 U/s 61/1/14 Punjab Excise Act, PS Division -3, Jalandhar	Convicted on 25-11-2019	Sh. Kapil Aggarwal, ACJM, Jalandhar
18	FIR-117/2019 Section 61 Punjab Excise Act, Section 420 IPC, PS Division -8,	Acquitted on 05-04-2023	Smt. Shilpa Singh, JMIC, Jalandhar
19	FIR-325, Dated 23-12-2016 U/s 61 Punjab Excise Act, PS Navi Baradari,Jalandhar	Convicted on 18-07-2023	Smt. Joshica Sood,JMIC Jalandhar
20	FIR-201, Dated 03-08-2018 U/s 61/1/14 Punjab Excise Act, Section 420 1PC, PS Division -8, Jalandhar	Acquitted on 06-12-2023	Smt. Shilpa Singh, JMIC, Jalandhar
21	FIR-124, Dated 08-05-2020	Acquitted on 03-	Smt. Shilpa Singh,



	U/s 61/1/14 Punjab Excise Act, PS Division -8, Jalandhar	10-2023	JMIC, Jalandhar
22	FIR-302, Dated 07-11-2020 U/s 323/341/506/34 IPC, PS Division -8, Jalandhar	Acquitted on 08-08-2023	Smt. Shilpa Singh, JMIC, Jalandhar
23	FIR-16, Dated 11-02-2021 U/s 61 Punjab Excise Act, PS Division -3, Jalandhar	Convicted on 19-01-2024	Sh. Amit Kumar Garg, ACJM, Jalandhar
24	FIR-41, Dated 08-04-2021 U/s 61/1/14 Punjab Excise Act, PS Division -3, Jalandhar	Convicted on 20-03-2023	Sh. Parinder Singh, ACJM, Jalandhar
25	FIR-36, Dated 19-03-2021 U/s 61/1/14 Punjab Excise Act, PS Kathgarh	Acquitted on 07-12-2023	Sh. Sukhwinder Singh, Sub Divisional Magistrate Balachuar
26	FIR-246, Dated 16-11-2021 U/s 61/78(2) Punjab Excise Act, PS Division -8, Jalandhar	Acquitted on 04-10-2023	Smt. Shilpa Singh JMIC, Jalandhar
27	FIR-47, Dated 26-02-2022 U/s 61/1/14 Punjab Excise Act, PS Division -8; Jalandhar	Untracted Report Accepted on 13-06-2024	Smt. Babita, JMIC, Jalandhar
28	FIR-122, Dated 28-04-2022, U/s 452/379/324/323/411/201/148/149 IPC Section 177 of MV Act PS Division-8, Jalandhar	Pending Trial Next Date of Hearing 07-04-2025	Sh. Mohinder Partap Singh Libra, JMIC, Jalandhar
29	FIR-74, Dated 10-05-2022 U/S 21/22/29/61/85 NDPS Act, PS Division-2 Jalandhar	Pending trial Next date of Hearing - 4-4-2025	Sh. Rajeev K. Beri, Special Court, Jalandhar

4. From the details of the cases, it is observed that out of a total of 28 cases, only two specifically those listed at Serial Nos. 10 and 15— are under the NDPS Act, and in both these cases, the petitioner has already been acquitted. It is further noted that in all the cases registered under the Excise Act or other statutory offences, the petitioner has already been convicted. In nine such cases, the petitioner was convicted;



however, learned counsel for the petitioner submits that in all nine cases, the petitioner was released on probation.

Therefore, as on date, the only pending case is the present one, listed at Serial No. 29. Moreover, no other case under the NDPS Act involving the petitioner in similar activity is pending. In light of the above, learned counsel prays for the grant of regular bail.

5. Taking into consideration the fact that the present case is the only matter in which the petitioner is presently incarcerated for a period of approximately three years and that only two out of the total 17 prosecution witnesses have been examined so far, it appears that the culmination of the trial is likely to take considerable time. It is also noted that the petitioner has already been acquitted in the previous cases registered under the provisions of the NDPS Act, and that no other criminal proceedings are currently pending against him.

In view of the above and considering the prolonged incarceration, this Court is of the opinion that the petitioner may be afforded an opportunity to rehabilitate and reintegrate into society, as the present case is the only one in which he is currently facing trial.

6. Considering the aspects and circumstances, 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 Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

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7. 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.

8. 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.

9. Petition stands disposed of.

**(SANJAY VASHISTH)  
JUDGE**

**06.05.2025***Rashmi*

*Whether speaking/reasoned: Yes/No*  
*Whether Reportable: Yes/No*