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

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**CRM-M-55597-2025  
Decided on: October 13, 2025**

**Sakattar Singh @ Sonu****.....Petitioner****Versus****State of Punjab****.....Respondent****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Gurnoor Singh Sethi, Advocate, and  
Mr. Rahil Mahajan, Advocate,  
for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

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**SANJAY VASHISTH, J.**

1. The instant petition has been filed 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:-

<b>Name of Petitioner</b>	<b>FIR No.</b>	<b>Date</b>	<b>Section(s)</b>	<b>Police Station</b>	<b>District</b>
<b>Sakattar Singh @ Sonu</b>	<b>145</b>	<b>01.07.2025</b>	<b>21 and 61 of the Narcotic Drugs and Psychotropic Substances Act, 1985</b>	<b>City-I, Moga</b>	<b>Moga</b>

2. Petitioner – Sakattar Singh @ Sonu, while he was riding his Motorcycle Splendor Make, bearing registration No. PB-46-AM-1034,



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was apprehended, and on conducting search, 250 grams of Heroin was recovered from his possession.

Learned counsel for the petitioner contends that the quantity alleged to have been recovered from the petitioner is non-commercial in nature, and after completion of investigation, even challan has also been submitted to the court. However, out of 13 prosecution witnesses, none has been examined so far.

In regard to another case registered against the petitioner under the NDPS Act, i.e. FIR No. 204, dated 04.10.2023, under Sections 21-B, 29 and 61 of the NDPS Act, Police Station Chheharta, District Amritsar, as disclosed in para No. 10 of the present petition, learned counsel for the petitioner points out that in the said case the petitioner was nominated on the basis of disclosure statement of co-accused and that too for non-commercial quantity. In the said case also, the petitioner has already been released on bail. Thus, submits that the petitioner being inside jail for the last about three months and 8 days, may be granted the concession of bail in the present case.

3. On advance notice and in response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 12.10.2025, in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has undergone 03 months and 08 days period inside jail and except for



the case already disclosed in para No. 10 of the present petition, as noticed hereabove, no other case is registered against him.

4. Learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, submits that instant petition has been filed at a pre-mature stage because only three months period has actually been undergone by the petitioner since his arrest in the present case. Earlier also, the petitioner has been nominated as accused in a case of similar nature, although no recovery could be effected from him in the said case. Learned State counsel also admits that as per the custody certificate the petitioner is on bail in the earlier case registered against the petitioner under the NDPS Act.

5. After hearing learned counsel for the parties and perusing the relevant material on record with their able assistance, this Court finds substance in the submissions made by learned counsel for the petitioner by observing that the allegation whether non-commercial quantity of 250 grams of Heroin was actually recovered from the conscious possession of the petitioner or not, is yet to be proved before the trial Court. Admittedly, quantity recovered is non-commercial in nature, and in another case, which was earlier registered against the petitioner under the NDPS Act on the disclosure statement of co-accused in the said case, no contraband was recovered from the petitioner. He is already on bail in the said case.

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



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

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

9. The observation made hereabove 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 by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

10. 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.

11. Petition stands disposed of.

(SANJAY VASHISTH)  
JUDGE

October 13, 2025  
Pkapoor

Whether Speaking/Reasoned: **YES/NO**  
Whether Reportable: **YES/NO**