



CRM-M-38912-2024

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

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CRM-M-38912-2024 (O & M)

Date of decision: 15.10.2025

SHERA SINGH

...Petitioner

Versus

UNION OF INDIA THR NARCOTIC CONTROL BUREAU

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Ashok Giri, Advocate,  
for the petitioner.

Mr. Sourabh Goel, Special Public Prosecutor and  
Mr. Samridh Jain, Advocate and  
Ms. Anju Bansal, Advocate,  
for the respondent-NCB.

**AMAN CHAUDHARY, J. (ORAL)**

**CRM-29321-2025**

Allowed as prayed for. Annexure P-5 is taken on record.

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1. Prayer in the present petition filed under Section 483 of BNSS, 2023, is for grant of regular bail to the petitioner in NCB Crime Case No.02/2024 dated 19.01.2024, under Sections 8, 21, 23, 25, 29, 35, 54, 60 of NDPS Act, pending in the Court of learned Special Judge/trial Court, Amritsar.

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2. Learned counsel contends that the petitioner has been in custody for 1 year and about 9 months. He alleges false implication. Recovery of contraband has been effected from co-accused, namely, Gurlal, who is in custody. The gate pass by which one could cross the fence, was issued in favour of the aforesaid co-accused, and not the petitioner. There is no recovery whatsoever effected from him. Charges have been framed on 30.07.2024, however none out of 13 witnesses has been examined. The petitioner is not involved in any other case.

3. Learned counsel for the respondent-NCB opposes the bail on the ground that 480 grams of contraband was recovered from the slipper of the co-accused and the petitioner was his helper. However, he is unable to controvert the submissions with regard to stage of the case and the petitioner being not involved in any other case.

4. Heard.

5. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 1 year, 8 months and 25 days; not involved in any other case; out of 13 witnesses, none has been examined as yet; the trial is likely to take a considerable time, and further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

6. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial

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Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

7. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

8. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and

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would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

15.10.2025

parveen kumar

**(AMAN CHAUDHARY)**  
**JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No