



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

222

CRM-M-51289-2024 (O&M)

Date of decision: 18.08.2025

JAGMOHAN SINGH @ MOHNA

... Petitioner

Versus

STATE OF PUNJAB

.. Respondent

CORAM : HON'BLE MR. JUSTICE H.S. GREWAL**Present:-** Mr. Rohit Mahajan, Advocate for the petitioner.

H.S. Grewal, J. (Oral)

1. The present is the second petition which has been filed under Section under Section 439 of Code of Criminal Procedure, seeking regular bail in FIR No.106 dated 01.04.2023 under Sections 22, 27 (Act No.61) of NDPS Act, 1985 registered at Police Station Tripri Patiala, District Patiala.
2. The case of the prosecution is that the petitioner has been apprehended with 1800 tablets of Lomotil containing the salt “Diphenoxylate Hydrochloride & Atropine Sulphate” which comes out to be 113.4 grams of weight.
3. Learned counsel for the petitioner contends that the petitioner has undergone custody period of more than 02 years, 04 months and 11 days and out of 13 prosecution witnesses, only 04 have been examined so far.
4. Notice of motion.
5. Mr. Amit Rana, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State.
6. Learned counsel for the State by way of filing of custody certificate vehemently opposes the grant of concession of regular bail and does not refute the fact that the petitioner has undergone custody period of 02 years, 04 months



and 11 days and out of 13 prosecution witnesses, only 04 have been examined so far.

7. I have heard learned counsel for the parties and have gone through the material placed on record.

8. Keeping in view the facts and circumstances of the present case, the custody period undergone by the petitioner 02 years, 04 months and 11 days and that out of 13 prosecution witnesses, only 04 have been examined and also conclusion of the trial is likely to take a long time, further incarceration of the petitioner would not serve the ends of justice. Therefore, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

9. Hence, without expressing any opinion on the merits of the case, the instant petition is **allowed**. The petitioner is granted concession of regular bail in the present case, on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/ Chief Judicial Magistrate concerned. The pending applications, if any, also stand disposed of.

10. It is however, made clear that in case during his bail, the petitioner indulges in any offence, the State shall be at liberty to file an application for cancellation of bail of the petitioner.

11. Pending applications, if any, also stand disposed of.

18th August, 2025

Sonia Puri

(H.S. GREWAL)
JUDGE

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