

2025:PHHC:102402



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

CRM-M-28460-2025 (O&M)

Reserved on : 06.08.2025

Pronounced on : 08.08.2025

Amritpal Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Ravi Gakhar, Advocate
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

MANISHA BATRA, J.

1. This petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*), for grant of regular bail to him in case bearing FIR No. 0035 dated 04.03.2025, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Sadar Khanna, District Khanna.
2. Brief facts of the case relevant for the purpose of disposal of this petition are that on 04.03.2025, the petitioner, while coming on a motorcycle bearing registration number PB-10-GE-1302 along with co-accused Avtar Singh, was apprehended by a police party and recovery of 210 intoxicating tablets containing salt of Alprazolam was effected from a polythene bag which tied with the handle of the motorcycle. Since they could not produce any valid permit or license to keep in their possession the recovered drug, they were formally arrested at the spot. Subsequently, drug money of Rs.30,000/- was recovered from the present petitioner. After completion of necessary

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investigation and usual formalities, *challan* under Section 193 of BNSS was presented in the Court and presently, the petitioner along with the co-accused is facing trial for commission of aforementioned offence.

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. Mandatory provisions of the NDPS Act were not complied with. The quantity of the contraband allegedly recovered from the petitioner otherwise does not fall under commercial quantity. Even otherwise, investigation stands completed and *challan* has been filed. Conclusion of trial is likely to take time. The petitioner is in custody since 04.03.2025. He is not involved in any other case under the NDPS Act. No useful purpose would be served by keeping him in custody anymore. Similarly situated co-accused Avtar Singh has already been granted concession of regular bail by the learned trial Court, vide order dated 17.04.2025. On the grounds of parity, the petitioner too deserves the same benefit. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Custody certificate of the petitioner as well as the status report has been filed by the respondent-State. Learned State counsel has argued that keeping in view the gravity of the allegations levelled against the petitioner, he is not entitled to get benefit of bail. 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.

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6. The petitioner is alleged to have been apprehended along with the above named co-accused on 04.03.2025 while keeping in their possession 241 tablets of Alprazolam. FSL report has been received, as per which, the quantity of the recovered contraband does not fall under commercial quantity. The petitioner is not shown to be involved in any other case of similar nature. Moreover, similarly situated co-accused Avtar Singh has already been granted concession of regular bail by the learned trial Court, as mentioned above. Investigation has since been completed and *challan* has been filed. The petitioner is in custody since 04.03.2025. Conclusion of trial would obviously take time. Keeping in view the aforesaid facts and circumstances, I am of the considered opinion that no useful purpose would be served by keeping the petitioner in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

7. 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.

08.08.2025*Wassem Ansari***(MANISHA BATRA)
JUDGE***Whether speaking/reasoned**Yes/No**Whether reportable**Yes/No*