



CRM-M-46342-2025

-1-

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

220

CRM-M-46342-2025

Date of Decision: 28.08.2025

Malkiat Singh @ Tota

... Petitioner

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Dr. Anju Sharma, Advocate for the petitioner (through VC).

Mr. Mohit Kapoor, Sr. DAG, Punjab.

VINOD S. BHARDWAJ, J. (ORAL)

1. The instant petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail in FIR bearing No.271 dated 14.10.2023, registered under Sections 21, 27(a), 61, 85 of the NDPS Act, 1985 (Act No.61 of 1985) at Police Station Jandiala Guru, District Amritsar.

2. Briefly stated the facts of the case are that on 14.10.2023, accused Malkeet Singh alias Tota (petitioner herein) was found in possession of 20 grams of heroin along with Rs.3500/- as drug money and during investigation on 16.10.2023, accused Malkeet Singh alias Tota suffered a disclosure statement that he had brought the said heroin from Jagpreet Singh @ Jaggu son of Balwinder singh @ Rs.2000/- per gram. Accused Jagpreet Singh @ Jaggu was accordingly nominated and arrested in the present case on 16.10.2023.

2. Learned counsel appearing on behalf of the petitioner contends that the petitioner is in custody since 14.10.2023. She contends that even though the challan stands presented in the present case and the charges have been framed on 08.08.2024, however, no witness has been examined so far. She further contends



CRM-M-46342-2025

-2-

that the petitioner has already undergone actual custody of more than 01 year and 10 months and the petitioner has no criminal antecedents and the trial is likely to take long time in its conclusion.

3. Learned State counsel on the other hand does not dispute the averments noticed above.

5. Having heard the learned counsel for the respective parties and taking into consideration the period of custody including the stage of the trial and no witness has been examined yet, and that the conclusion of the trial is likely to take a long time, I deem it fit to allow the instant petition.

7. Accordingly, the instant petition is allowed and the petitioner is ordered to be admitted to regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate concerned.

8. It is made clear 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 hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

AUGUST 28, 2025.
monika

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No