

2025:PHHC:107143



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

CRM-M-22357-2025 (O&M)

Reserved on : 12.08.2025

Pronounced on : 20.08.2025

Jaswant Singh @ Raju

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Ms. Molly Tarunima Tagore, Advocate
for the petitioner. (Through VC)

Mr. Roshandeep Singh, AAG, Punjab.

MANISHA BATRA, J.

1. The instant one is the second petition that has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to him in case bearing FIR No. 143 dated 29.08.2024, registered under Sections 22(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Sadar Kotkapura, District Faridkot. The first petition, bearing number **CRM-M-51817-2024**, was dismissed by this Court on 04.03.2025.

2. The petitioner has been nominated in the aforementioned FIR on the disclosure of co-accused Sukhpal Singh @ Meli and Harbhagwan Singh @ Bhana, who were apprehended by the police party at the spot on 29.08.2024 and from whom, recovery of 1500 intoxicant tablets of Tramadol Hydrochloride was effected. The allegations against the petitioners were that

2025:PHHC:107143



he used to supply intoxicant tablets to the co-accused. The petitioner was arrested on 30.08.2024 and is facing trial.

2. Learned counsel for the petitioner has argued that he has been falsely implicated in this case. He has been nominated in this case on the basis of the disclosure statements suffered by above named co-accused, which is not admissible in evidence. The petitioner has clean antecedents and is not involved in any other case. The trial is substantially delayed as out of total 19 prosecution witnesses, only 03 witnesses have been examined and 01 witness has been given up, which means that its conclusion will take considerable time. The extended incarceration of the petitioner and the delay in conclusion of trial amounts to change in circumstances and entitles the petitioner to seek bail as no useful purpose would be served by keeping him in custody anymore. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. 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.

6. The petitioner has been nominated in this case as an accused on the disclosure of co-accused Sukhpal Singh @ Meli and Harbhagwan Singh @ Bhana, who were apprehended by the police party at the spot on 29.08.2024 and from whom, recovery of 1500 intoxicant tablets of Tramadol Hydrochloride was effected. The petitioner is alleged to be the supplier of

2025:PHHC:107143



the recovered contraband. However, no subsequent recovery is shown to have been effected from him. As per status report, he has clean antecedents and is not involved in any other case. On a further perusal of the status report, it is also reflected that the trial is delayed as only 03 witnesses have been examined so far out of total 19 witnesses, despite of the fact that *challan* was presented far back. The petitioner is in custody since 30.08.2024. Conclusion of trial would obviously take considerable time. Keeping in view the aforesaid facts and circumstances, I am of the considered opinion that no useful purpose would be served by keeping him 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.

20.08.2025

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