



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

222

CRM-M-34063-2025 (O&M)
Decided on : 04.09.2025

Sarabjit Singh

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Mandan Sandhu, Advocate
for the petitioner(s).

Mr. Manjinder S. Bhullar, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Sarabjit Singh	289	22.10.2022	22, 29 of NDPS Act, 1985	Sultanpur Lodhi	Kapurthala

2. Petitioner – Sarabjit Singh, along with his associate Vishal Ram @ Vishal, was in a Swift Car bearing registration No. PB28-D-7795, and he himself was driving the said car. On search of the said car, the police team recovered 1150 intoxicant tablets kept in a polythene bag, whereupon, both the accused were arrested on the spot. At the first instance, petitioner was granted interim bail as the FSL report was not available. However, he was directed to surrender after filing of challan and receipt of the FSL report, but he evaded proceedings of the Court below. Subsequently, on 30.04.2025, petitioner surrendered before the trial Court and since then he is in custody.



3. Learned counsel contends that prior to the release on interim bail, petitioner had already remained in custody for more than 03 months and 10 days. It is further submitted that the maximum of non-commercial quantity of Alprazolam is 100 grams, whereas in the present case, the salt of Alprazolam in the recovered tablets was found to be 113.85 grams. Thus, the recovered substance is only marginally above the maximum of non-commercial quantity.

4. Learned counsel further submits that as on 03.09.2025, petitioner has undergone a total custody period of about 07 months and 14 days. Fairly, learned counsel also refers to para No.12 of the petition and submits that though the petitioner was earlier involved in one more case, i.e., FIR No.280 dated 26.11.2019 under Section 22 of NDPS Act, 1985, registered at P.S. Sultanpur Lodhi, District Kapurthala, but in that case the prosecution itself filed a cancellation report, which was accepted by the trial Court on 17.03.2021. Accordingly, learned counsel prays for grant of regular bail to the petitioner.

5. On the other hand, learned State counsel has filed the custody certificate dated 03.09.2025 in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioner.

6. Learned State counsel, while opposing the prayer for bail, submits that the offence is serious in nature and the menace of drugs is increasing on a day-to-day basis in the State of Punjab, which has already ruined the lives of youth and their families.

However, he affirms that petitioner is in custody for about 07 months and 14 days. As per custody certificate, though petitioner is shown to be involved in another case, i.e., FIR No.280 dated 26.11.2019, he concedes



that there may be some mistake regarding its latest status, as the record of cancellation report could not be updated. He does not dispute the other factual assertions made by learned counsel for the petitioner. It is further affirmed that after completion of investigation, challan has been submitted, but charges are yet to be framed.

7. After hearing learned counsel for the parties and perusing the record, this Court finds substance in the submissions made on behalf of the petitioner. It is noticeable that petitioner has remained in custody for about 07 months and 14 days, and the trial is yet to commence, therefore its conclusion shall take considerable time. So far as the other case is concerned, in that matter the cancellation report was accepted way back on 17.03.2021.

Furthermore, petitioner is a young man aged about 27 years. Keeping in view the custody already undergone, the marginal difference in the recovered quantity, and the parameters settled by law, this Court is of the view that prayer for bail deserves consideration, giving the petitioner an opportunity to reform and rehabilitate himself in society.

8. Accordingly, considering the totality of circumstances, and the nature allegations leveled against the petitioner, and the factors noticed here-above, I deem it appropriate to grant the concession of bail to the petitioner.

9. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

10. Needless to observe that the petitioner shall not extend any threat



and shall not influence any prosecution witness in any manner directly or indirectly.

11. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

12. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

13. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

September 04, 2025

J.Ram

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