



CRM-M-14873-2025

-1-

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

226

CRM-M-14873-2025

Date of decision : 15.05.2025

Tarzan Masih

... Petitioner

Versus

State of Punjab

.. Respondent

**CORAM : HON'BLE MR. JUSTICE H.S.GREWAL**

Present:- Mr. Manoj R. Sharma, Advocate for the petitioner.

Mr. Kamalpreet Bawa, AAG, Punjab.

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**H.S. Grewal, J.(Oral)**

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in FIR No.18 dated 08.04.2024, under Section 21(C) of the NDPS Act, registered at Police Station Dorangla, District Gurdaspur.

2. Learned counsel for the petitioner submits that during patrolling, the BSF had recovered a packet lying in the field of Nirmal Singh which was found to be containing 530 grams heroin. Thereafter, on receiving a secret information, one co-accused Vicky, who is brother of the petitioner, was arrested who disclosed the name of the present petitioner. Learned counsel further submits that neither any recovery of contraband nor any incriminating material implicating the petitioner has been effected. He also submits that the petitioner is in custody for 08 months & 10 days.

3. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner. He, upon instructions, submits that although



**CRM-M-14873-2025**

**-2-**

charges have been framed on 07.04.2025 but none of the prosecution witnesses has been examined so far. He has filed the custody certificate in Court which is taken on record. As per the custody certificate, the petitioner is in custody for 08 months and 10 days.

4. I have heard the learned counsel for the parties and perused the record.

5. In view of the above submission of learned counsel(s) and the fact that the petitioner is in custody for 08 months and 10 days; no recovery has been effected from him; there is no concrete evidence to implicate him in this case and the trial is likely to take time as only charges have been framed. None of the prosecution witnesses has been examined, the continuous detention of the petitioner would not serve the ends of justice. Keeping in view the facts and circumstances of the present case, I deem it a fit case to grant the concession of regular bail to the petitioner during the pendency of the trial.

6. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

7. However, it is made clear that in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of his bail.

**(H.S.GREWAL)**  
**JUDGE**

**15.05.2025**  
A.Kaundal

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No