



CRM-M-15355-2025

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

**CRM-M-15355-2025
Reserved on : 07.04.2025
Pronounced on: __.04.2025**

JUGRAJ SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Argued by: Mr. Hardik Ahluwalia, Advocate for the petitioner.

Mr. Rahul Jindal, AAG, Punjab.

ANOOP CHITKARA, J. (ORAL)

| FIR No. | Dated | Police Station | Sections |
|---------|------------|---|----------------|
| 63 | 16.06.2020 | Badali Ala Singh, District Fatehgarh Sahib | 21 of NDPS Act |

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.

2. Per paragraph 13 of the bail application and 13 of the reply, the accused has the following criminal antecedents:

| Sr. No. | FIR No. | Date | Offenses | Police Station |
|---------|--------------------|------------|---|-------------------------------------|
| 1. | 72 | 08.09.2023 | Ghanie Ke Banger, District Gurdaspur | 364, 341, 346, 506 and 34 of IPC |
| 2. | 119 (Acquitted) | 09.12.2017 | 363, 366 (a) of IPC | Dera Baba Nanak |

3. The facts and allegations are taken from the reply filed by the State. On 16.06.2020, based on secret information, the Police seized 80 grams of heroin having salt Diacetylmorphine from the petitioner's possession. The Investigator claims to have complied with all the statutory requirements of the NDPS Act, 1985, and CrPC, 1973.

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and their family. He further submits that the petitioner was on bail earlier, due to absence before trial Court, he was declared proclaimed offender and now undertakes to appear on all dates before trial Court.



5. The State's counsel opposes bail and refers the reply.

REASONING:

6. The petitioner was earlier on bail; however, he failed to appear, which led to the cancellation of the bail vide order dated 24.02.2025, passed by the Additional Sessions Judge, Fatehgarh Sahib.

7. The petitioner was earlier granted bail, and as such, this court is inclined to grant bail subject to the strict condition that the petitioner shall not remain absent from the trial even on a single day and subject to compliance with the following conditions.

8. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the prima facie analysis of the nature of allegations, and the other factors peculiar to this case, there would be no justifiability for pre-trial incarceration at this stage, subject to the compliance of terms and conditions mentioned in this order.

9. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail. This order shall come into force from the time it is uploaded on this Court's official webpage.

CONDITIONS:

10. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

11. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

| | | |
|----|--|--|
| 1. | AADHAR number | |
| 2. | Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk. | |
| 3. | Mobile number (If available) | |
| 4. | E-Mail id (If available) | |

12. This order is subject to the petitioner's complying with the following terms.

13. The petitioner shall attend the Trial on every date and shall not seek any adjournment.

14. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

15. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.



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16. Petition allowed in terms mentioned above. All pending applications, if any, stand disposed of.

29.04.2025
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(ANOOP CHITKARA)
JUDGE

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