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

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CRM-M-58471-2024 (O&M)

Date of Decision: 01.09.2025

SAJAN MASHI

... PETITIONER

VERSUS

STATE OF PUNAJB

... RESPONDENT

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

Present:- Mr. Dhawaljeet Dutta, Advocate for the petitioner.
Mr. Rishab Singla, AAG, Punjab.

H.S. Grewal, J.(Oral)

1. This petition has been filed for grant of regular bail under Section 483 of BNSS in case FIR No. 98 dated 29.09.2024 under Sections 21(b), 27-A, 29 of NDPS Act registered at Police Station Sadar Gurdaspur, District Gurdaspur.
2. The case of the prosecution is that one Jaswant Singh, who was accompanied by the petitioner, was found in conscious possession of 60 grams of heroin along with an electronic weighing scale, and Rs. 27,000/- as drug money.
3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He further submits that the recovery has been effected from the co-accused. The co-accused has already been



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granted the concession of regular bail by the Co-ordinate Bench of this Court. He further submits that the petitioner is in custody since 29.09.2024.

4. Learned State counsel has vehemently opposes the grant of regular bail to the petitioner. He has filed the custody certificate of the petitioner in the Court today and the same is taken on record. As per custody certificate, the petitioner is in custody for the last 11 months and is not involved in any other case. He further submits that out of 10 cited prosecution witnesses only, 01 has been examined so far.

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

6. In view of totality of factual matrix of the present case and the fact that the petitioner is in custody for the last 11 months; 01 witness out of 10 prosecution witnesses has been examined so far; the alleged recovery of 60 grams of heroin which falls under the category of non-commercial in nature; the continuous detention of the petitioner would not serve the ends of justice, therefore, this Court deems it a fit case to grant the concession of regular bail to the petitioner during the pendency of the trial.

7. Hence, 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 trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.



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8. It is clarified that if on bail so granted through the instant order, the applicant is found indulging in any other criminal case it shall be open to the State to seek cancellation of his bail.

9. It is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial court shall decide the case on the basis of material available before it.

10. Pending application(s), if any, shall also stand disposed of.

01.09.2025

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

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