



CRM-M-61749-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-61749-2024
Decided on : 30.07.2025

PARMINDER SINGH ALIAS PINDA

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Manbir Singh Batth, Advocate,
for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH, J.

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
Parminder Singh @ Pinda	0110	07.06.2024	21, 29, 61 and 85 of NDPS Act	Mahilpur	Hoshiarpur

2. Counsel for the petitioner submits that 255 grams of heroin was recovered from the petitioner's possession, specifically, from a polythene bag found in the right pocket of his trousers, along with a digital weighing machine recovered from the left pocket. It is further submitted that the recovered quantity exceeds the maximum limit for non-commercial quantity by only five grams. Therefore, whether the



weighing process of the contraband complied with the prescribed norms is a moot question to be determined by the trial court. Additionally, trial court will have to ascertain the difference in weight between the polythene and the contraband, and at this stage, possibility cannot be ruled out that the actual weight of the recovered contraband may be less than 255 grams or less.

3. Petitioner is inside jail since 07.06.2024, and till date, none of the prosecution witnesses has been examined. Apart from the present case, petitioner is also accused in another case, where 40 grams of heroin, which is non-commercial in nature, was allegedly recovered from him, and petitioner is on bail in that case. Considering that trial is likely to take considerable time to conclude, counsel prays for grant of regular bail to the petitioner in the present case.

4. In response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the status report dated 03.04.2025 and custody certificate dated 29.07.2025, in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 01 year 01 month and 19 days period inside jail and petitioner is also an accused in another case, i.e. FIR No. 91 dated 12.10.2023, registered under Section 21 of the NDPS Act, at PS Sadar Banga, in which he has already been granted bail.

5. Learned State counsel does not dispute the factual assertion stated by counsel for the petitioner today before this Court. However, he



vehemently opposes the prayer for grant of bail to the petitioner in the present case.

6. Taking note of all the submissions addressed by counsel for the parties, and considering that the total recovered contraband weighs 255 grams, actual weight of which is yet to be ascertained by learned trial court to determine whether the quantity is commercial or non-commercial in nature, this Court deems it appropriate to grant the concession of regular bail to the petitioner in the present case.

7. 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.

8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

10. 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.

11. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

30.07.2025

Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO