



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

**CRM-M-17420-2026 (O&M)
DECIDED ON: 20.04.2026**

JAGSIR SINGH ALIAS JAGGI

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present: Mr. Himanshu Bansal, Advocate
for the petitioner.

Mr. H.S. Wadhwa, DAG, Punjab.

MANDEEP PANNU, J (ORAL)

1. This is the first petition under Section 483 of the BNSS, 2023 for grant of regular bail to the petitioner in case FIR No.252 dated 04.11.2025, registered under Sections 21(b), 61 and 85 of the NDPS Act, at Police Station Sadar Bathinda, District Bathinda.

2. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and that no recovery has been effected from his conscious possession. It is further contended that the alleged contraband, i.e., 25 grams of heroin, falls within the category of intermediate quantity. Learned counsel further submits that the petitioner stands on parity with co-accused Satnam Singh, from whom a similar recovery is alleged and who has already been granted the concession of regular bail by the learned trial Court vide order dated 04.12.2025. It is



further submitted that the challan has been presented before the Court and charges have already been framed, meaning thereby, the conclusion of the trial is likely to take a considerable time.

3. On the other hand, learned State counsel has produced the custody certificate of the petitioner today in Court, which is taken on record. He has opposed the prayer for grant of regular bail on the ground that the petitioner is a habitual offender as he is involved in 06 other criminal cases.

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

5. Admittedly, the petitioner has undergone incarceration for a period of 5 months and 15 days. The alleged contraband, i.e., 25 grams of heroin, falls within the category of intermediate quantity. Furthermore, the petitioner stands on parity with the co-accused, namely Satnam Singh, who has already been granted the concession of regular bail by the learned trial Court. It is also noteworthy that charges have already been framed in the present case, and therefore, the conclusion of the trial is likely to take a considerable time. In such circumstances, the petitioner cannot be kept behind bars for an indefinite period.

6. As regards the submission of learned State counsel that petitioner is involved in 06 other criminal cases, reference is placed upon the judgment of the Hon'ble Supreme Court in '**Maulana Mohd. Amir Rashadi Vs. State of U.P. and another**', 2012 (2) SCC 382 in which, it is held that the facts and circumstances of the present case are to be seen while deciding a bail application and the bail application of the petitioner cannot be rejected solely on the ground that the petitioner is involved in other/another cases). The relevant portion of the said judgment is reproduced hereinbelow:-



"As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court etc."

7. In view of the above and without expressing any opinion on the merits of the case, this Court is of the considered view that the petitioner has made out a case for grant of regular bail.

8. Accordingly, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing adequate bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

9. However, it is made clear that nothing stated hereinabove shall be construed as an expression on the merits of the case.

10. All pending miscellaneous application(s), if any, stands disposed of.

20.04.2026

Poonam Negi

**(MANDEEP PANNU)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*