

CRM-M-49-2026 (O&amp;M)

-1-

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

213

CRM-M-49-2026 (O&M)  
Date of decision : 21.04.2026

**AMARBIR SINGH ALIAS WALIA ALIAS VICKY ALIAS NITIN**

... PETITIONER

Versus

**STATE OF PUNJAB**

.. RESPONDENT

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

Present:- Mr. Yajur Sharma, Advocate for the petitioner.

Mr. Rohit Hans, DAG, Punjab.

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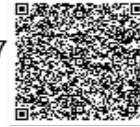
**H.S. Grewal, J.(Oral)****CRM-37-2026**

1. Allowed as prayed for.

**CRM-M-49-2026**

1. This petition has been filed by the petitioner seeking regular bail under Section 483 BNSS, 2023(erstwhile Section 439 Cr.P.C.), in case FIR No.111 dated 18.08.2025, under Sections 21(b) & 27(a) of the NDPS Act and Section 111 of BNS, 2023 (added later on), registered at Police Station Ranjit Avenue, District Police Commissionerate Amritsar.

2. The case of the prosecution is that on 18.08.2025, the petitioner was apprehended and from his conscious possession, 12 grams of heroin (non-commercial quantity) was recovered and from the personal search of the

**CRM-M-49-2026 (O&M)****-2-**

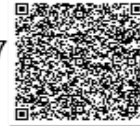
petitioner, an amount of Rs.500/- was also recovered, which is alleged to be drug money.

3. Learned counsel for the petitioner, however, submits that the petitioner has been falsely implicated in this case and there is no incriminating material which would connect him with the alleged offence. It is submitted that there is non-compliance of mandatory provisions of the NDPS Act as no independent witness was joined during recovery. Learned counsel also submits that the petitioner is in custody for the last more than 07 months and 30 days. He, therefore, prays for release of the petitioner on regular bail as the trial is likely to take a long time as charges are yet to be framed.

4. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner. He has filed the custody certificate in Court, which is taken on record. As per the custody certificate, the petitioner is in custody for the last more than 07 months and 30 days. He, upon instructions, submits that although challan has been presented but charges are yet to be framed.

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

6. In view of the above submissions of learned counsel for the parties and keeping in view the facts that the petitioner is in custody for the last more than 07 months and 30 days, the alleged recovery of contraband is of non-commercial quantity and that the trial is likely to take a long time as only challan has been presented but charges are yet to be framed, therefore, this Court deems it appropriate to grant the concession of regular bail to the

**CRM-M-49-2026 (O&M)****-3-**

petitioner during the pendency of the trial as the continuous detention of the petitioner would not serve the ends of justice.

7. 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.

8. 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.

**April 21, 2026**  
A.Kaundal

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

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