



CRM-M-36123-2026

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

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CRM-M-36123-2026

Date of decision : 10.07.2026

HARJOT SINGH

... PETITIONER

Versus

STATE OF PUNJAB

.. RESPONDENT

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

Present:- Mr. Rishu Mahajan, Advocate for the petitioner.

Mr. K.D. Sachdeva, DAG, Punjab.

H.S. Grewal, J.(Oral)

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (erstwhile Section 439 Cr.P.C.) seeking regular bail to the petitioner in case FIR No.296 dated 14.11.2025, under Sections 21-C/25/29 of NDPS Act and Section 238 BNS, 2023 registered at Police Station STF [ANTF(ANTI Narcotics Force)], District SAS Nagar Mohali.

2. The case of the prosecution is that co-accused Gurdayal Singh @ Sunny was apprehended while driving a motorcycle and the petitioner was allegedly travelling as a pillion rider. Upon checking, recovery of 1 kg. 719 grams of heroin was allegedly effected from co-accused Gurdayal Singh @ Sunny.

3. Learned counsel for the petitioner, however, submits that the petitioner has been falsely implicated in this case while nothing has been

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recovered from his conscious possession. He was only sitting as a pillion and there is no incriminating material against him which would connect him with the alleged contraband. It is further submitted that there is non-compliance of mandatory provisions of the NDPS Act and at this stage, it cannot be determined whether the alleged recovery was connected with the petitioner in any manner. He further submits that the petitioner is in custody for the last more than 07 months & 19 days and is not involved in any other case. He, therefore, prays for release of the petitioner on regular bail as the trial qua the petitioner is likely to take a long time as none of the prosecution witness has been examined so far.

4. Notice of motion.

5. On the asking of the Court, Mr. K.D. Sachdeva, DAG, Punjab, accepts notice on behalf of the respondent and vehemently opposes the prayer for grant of regular bail to the petitioner. He has filed the custody certificate of the petitioner 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 19 days. He, upon instructions, submits that none of the prosecution witness has been examined so far.

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

7. 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 19 days, no recovery has been effected from him, he is not involved in any other case and that the trial is likely to take a long time to conclude as none of the prosecution witness has been examined so far,

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therefore, this Court deems it appropriate to grant the concession of regular bail to the petitioner during the pendency of the trial as the continuous detention of the petitioner would not serve the ends of justice.

8. 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.

9. 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.

July 10, 2026
A.Kaundal

(H.S.GREWAL)
JUDGE

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