



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

**CRM-M No.24059 of 2026
Date of Decision:- 22.07.2026**

Captain Singh alias Kappu

.....Petitioner.

Versus

State of Punjab

.....Respondent.

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

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

Mr. Rahul Jindal, AAG, Punjab.

VIKRAM AGGARWAL, J. (ORAL)

This is the third petition preferred under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'the BNSS') for the grant of regular bail to the petitioner in case FIR No.70 dated 25.04.2024 registered under Sections 21(b), 22, 25, 29, 27(a) and 22(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act'), at Police Station Chheharta, District Amritsar.

2. Custody certificate dated 21.07.2026 filed in Court today, is taken on record.

3. As per the case of the prosecution, on 25.04.2024, the petitioner was apprehended and he was found to be in possession of 10 grams of heroin and 890 intoxicant tablets (Tramadol) which comes to

408.51 grams of Tramadol which is a commercial quantity. A sum of Rs.91,300/- is also stated to have been recovered from the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. He submits that the petitioner is in custody since 25.04.2024; out of total 14 prosecution witnesses, only 4 have been examined; the antecedents of the petitioner are clean with no other case having been registered against him; trial will still take a sufficiently long time and no useful purpose would be served by keeping the petitioner in custody any longer.

5. *Per contra*, learned State counsel has opposed the bail application.

6. I have considered the submissions made by learned counsel for the parties.

7. No doubt, the petitioner was allegedly found to be in possession of commercial quantity of Tramadol. Whether actually the prosecution is able to prove its case or not shall be determined when the trial concludes. The petitioner is in custody for the last 02 years 02 months and 24 days, he having been arrested as far back as on 25.04.2024. Out of total 14 prosecution witnesses, only 04 have been examined till date thereby seriously prejudicing the right of the petitioner to a speedy trial. In the considered opinion of this Court, further incarceration, when the trial is not proceeding at the pace it is expected to proceed, would be unfair. The antecedents of the petitioner are clean. Trial will still take a sufficiently long time and no useful purpose would be served by keeping the petitioner in custody any longer.

8. In view of the aforementioned facts and circumstances, without expressing any opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

July 22, 2026
Yag Dutt

(VIKRAM AGGARWAL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No