



CRM-M-4926-2024

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

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CRM-M-4926-2024

Date of Decision: 24.09.2025

KULWINDER SINGH @ KINDA**... PETITIONER****VERSUS****STATE OF PUNJAB****... RESPONDENT****CORAM : HON'BLE MR. JUSTICE H.S.GREWAL**

Present:- Mr. H.S.Deol, Advocate for the petitioner.

H.S. Grewal, J.(Oral)

1. This petition has been filed for grant of regular bail under Section 439 of Cr.P.C in case FIR No. 55 dated 07.05.2023 under Section 21(c), 27, 29 of NDPS Act and Section 25 Arms Act, registered at Police Station, Cantt, Bathinda.

2. The case of the prosecution is that the petitioner along with his co-accused were apprehended by the police on the basis of suspicion while they were going on a motorcycle. It is alleged that the petitioner was driving the said motorcycle and the co-accused Surjit Singh was pillion rider and from whom 500 grams of heroin, one country made 32 bore pistol along with two live cartridges and drug money to the tune of Rs. 3,30,000/- were recovered.

3. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that the recovery



was effected from the pillion rider i.e. co-accused and has already been granted concession of regular bail by this Court. The petitioner is in custody since 06.05.2023.

4. Notice of motion.

5. Mr. Rishabh Singla, AAG, Punjab accepts notice on behalf of the respondent-State. He has opposed the prayer made by the learned counsel for the petitioner. He has filed the custody certificate dated 23.09.2025 of the petitioner in the Court today and the same is taken on record. As per which, the petitioner is in custody for the last 02 years 04 months and 11 days. and the petitioner is not involved in any other case under NDPS Act. He further submits that out of 23 cited prosecution witnesses, only 03 have been examined so far.

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

7. Keeping in view the above facts and circumstances of the case and the fact that the petitioner is in custody for more than 02 years 04 months and 11 days; only 03 witnesses have been examines so far; the trial is moving at a snail's pace, therefore, the continuous detention of the petitioner would not serve the ends of justice, therefore, this Court deems it a fit case to grant the concession of regular bail to the petitioner during the pendency of the trial.

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 trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. It is clarified that if on bail so granted through the instant order, the applicant is found indulging in any other criminal case it shall be open to the State to seek cancellation of his bail.

24.09.2025

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(H.S.GREWAL)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>