



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(221)

CRM-M-8367-2025

DATE OF DECISION: 09.12.2025

Kirandeep Singh

.....Petitioner

VERSUS

State of Punjab

.....Respondent

CORAM HON'BLE MR. JUSTICE SUBHAS MEHLA

Present Mr.Rahul Arora, Advocate, for the petitioner.

[Mr. Sandeep Kumar, DAG, Punjab.](#)

SUBHAS MEHLA, J (ORAL)

1. By way of the present petition, the petitioner is seeking regular bail in FIR No.0110 dated 26.10.2021, under Section 22(b), 22(c) of NDPS Act, 1985 (offence under Section 25 of NDPS Act added subsequently), registered at Police Station Bariwala, District Sir Muktsar Sahib.

2. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in this case. He further contended that nothing has been recovered from the possession of the present petitioner and he is involved in this case only on the ground that he is owner of the motorcycle which the co-accused were riding at the time they were apprehended. He further contended that the motorcycle in question has already been sold by the present petitioner to Jaswant Singh, and regarding this, placed reliance upon his affidavit Annexure P-6; he is in custody since 18.12.2024; he has clean and clear antecedents; investigation has already been completed; trial will take long sufficient time to conclude and there is no apprehension that after release he will tamper with any prosecution evidence; present

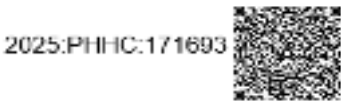


petitioner is not involved in any criminal activity and prayer for grant of regular bail is made.

3. On the other hand, learned counsel on behalf of the respondent-State produced the custody certificate of the petitioner, which is taken on record. Learned State counsel vehemently opposed the prayer for grant of regular bail to the petitioner by submitting that present petitioner was actively involved in the present crime and knowingly gave his motorcycle to the co-accused that it would used for transportation/delivery of narcotic substances 60 tabs of Etizolam 0.5 have been recovered from the co-accused who were travelling on petitioner's motorbike.

4. Heard.

5. Considering the contention of the learned counsel for the petitioner as well as learned State counsel, as nothing is recovered from the possession of the present petitioner; investigation has already been completed; there is no apprehension that petitioner will tamper with evidence as all the witnesses are police officials; the only allegation against petitioner is that motorcycle on which the co-accused were riding belonged to the present petitioner; trial will take sufficient time to conclude and no fruitful purpose would be served by keeping him in custody for any further period, as concession of bail cannot be denied just as measure of punishment as culpability of the accused will be decided at the final stage by the trial Court after appreciating the evidences adduced by both sides and it is trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.



6. 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 bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

09.12.2025
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(SUBHAS MEHLA)
JUDGE

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