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

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Date of Decision: 01.09.2025

SURJEET SINGH @ GURJEET SINGH**... PETITIONER****VERSUS****STATE OF PUNAJB****... RESPONDENT****CORAM : HON'BLE MR. JUSTICE H.S.GREWAL**

Present:- Mr. J.S.Sandhu, Advocate for the petitioner.

Mr. Rishab Singla, AAG, Punjab.

H.S. Grewal, J.(Oral)

1. This petition has been filed for grant of regular bail under Section 483 of BNSS in case FIR No. 55 dated 07.05.2023 under Sections 21(c), 29 of NDPS and Section 25 of Arms Act and Sections 25,27 of NDPS Act added later on registered at Police Station, Cantt Bathinda, District Bathinda, Punjab.
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. The co-accused Kulwinder Singh @ Kinda was driving the said motorcycle and accused-petitioner was pillion rider and was carrying a kit on his right shoulder. On checking the said kit, 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.

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3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case as earlier the petitioner had dispute/altercation with the police and some locals of the area. He further submits that the petitioner has no link with the alleged recovery and nothing has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 07.05.2023.

4. Short reply by way of affidavit of Saravjeet Singh Brar, PPS, Deputy Superintendent of Police, City-2, Bathinda has been filed today in the Court and the same is taken on record. Learned State counsel has vehemently opposes the grant of regular bail to the petitioner. He has filed the custody certificate of the petitioner in the Court today and the same is taken on record. As per custody certificate, the petitioner is in custody for the last 02 years 03 months and 19 days and 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.

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

6. In view of totality of factual matrix of the present case and the fact that the petitioner is in custody for the last 02 years 03 months and 19 days ; only 03 witnesses have been examined so far; 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.

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7. Hence, 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.

8. 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.

9. It is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial court shall decide the case on the basis of material available before it.

10. Pending application(s), if any, shall also stand disposed of.

01.09.2025*renu***(H.S.GREWAL)
JUDGE**

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