



CRM-M-10053-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-10053-2025
Decided on : 10.11.2025

Kaptan Singh @ Kala

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Sanjeev Kumar Arora, Advocate,
for the petitioner.

Mr. Jasdeep Singh, Addl. AG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The instant is the third regular bail petition which has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.) for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Kaptan Singh @ Kala aged 35 years	17	02.05.2023	22 (c) and 29 of NDPS Act, 1985	Bajakhana	Faridkot

2. Earlier two bail petitions filed under Section 439 Cr.P.C. was dismissed as withdrawn by co-ordinate Bench of this court vide orders dated 25.04.2024 (Annexure P-11) and 21.11.2024 (Annexure P-12).

3. While considering the instant petition for regular bail of the petitioner, the co-ordinate Bench of this Court had granted interim bail to the petitioner vide order dated 21.05.2025 which continued up till date which reads as under:-

“Custody Certificate dated 20.05.2025 of the petitioner has been produced and which is taken on record. Copy thereof supplied to the opposite side. Registry to tag the same at appropriate place.

While making reference to the zimni orders dated 24.02.2025, 24.03.2025 & 24.04.2025, passed by learned Special Court, Faridkot, contends that prosecution witnesses are not coming forward; thereby prolonging the incarceration of petitioner.

Learned State Counsel shall get instructions about the non production of the prosecution witnesses.

Posted for 28.07.2025.

In the meanwhile, petitioner be released on interim bail, in the present case, till the next date of hearing, on furnishing adequate bail and surety bonds to the satisfaction of learned Special Court/CJM/Duty Magistrate concerned.”

4. As per case of the prosecution, on 02.05.2023, Anti-Narcotic Cell team intercepted one person, who later on was identified as Kaptan Singh @ Kala (petitioner herein) and was driving a motorcycle bearing registration No. PB-03-AU-5691. On conducting, search, one plastic bag was recovered from his possession, containing 25 boxes of intoxicant tablets marked 'NRx Tramadol Hydrochloride Tablet 100 mg Trakem-100 Tablets, totalling 4,980 tablets thereupon, impugned FIR herein was registered.

5. Additionally, learned counsel for the petitioner submits that trial is at the fag end and after releasing the petitioner on interim bail he had never misused the concession of interim bail, therefore prays for making the said order absolute and to allow the instant petition.

6. On the other hand, learned State counsel confirms the factual position and submits that, out of 19 prosecution witnesses, 11 have already been examined and 7 have been given up. Thus only 1 more witness is left to be examined.

7. Heard learned counsel for the parties.

8. In view of the fact that the petitioner has already been released on interim bail, without going much deep in the merits of the case, and noticing the fact that vide order dated 21.05.2025 the co-ordinate Bench had released the petitioner on interim bail and there being no allegations of misusing the said concession when only one prosecution witness is left to be examined. Ad-interim bail order dated 21.05.2025, passed by a co-ordinate Bench of this Court is hereby made absolute. Accordingly, present petition is allowed.

10. It is clarified that the bail bond/surety bond already furnished by the petitioner in pursuance to the order dated 21.05.2025 would be sufficient, not requiring for furnishing additional or fresh bail bonds till the end of the trial.

11. However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

12. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

November 10, 2025
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<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>