



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

237

CRM-M-17264 of 2025

Date of decision: 24.07.2025

Kulwinder Singh alias Kala

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL

Present: Mr. Abhaysher Singh, Advocate, for the petitioner.

Mr. Gautam Thapar, Sr. DAG, Punjab.

H.S. GREWAL, J. (Oral)

1. The petitioner is seeking regular bail under Section 483 BNSS, 2023 in case FIR No.130 dated 20.10.2018, under Sections 15(C) of the NDPS Act, 1985, registered at Police Station Jalalabad, District Fazilka.
2. As per case of the prosecution, petitioner along with co-accused Jagroop Singh and Jagmeet Singh @ Meeta indulged in the illicit trade of contraband and they were bringing a consignment of the contraband on a car bearing registration No.DL-3CAK-6652 from Rajasthan. On stopping and conducting the search of car, 60 Kg., Poppy husk was recovered. Petitioner is stated to have run away from the spot, but later on he was arrested in another case.
3. Learned counsel for the petitioner submits that the petitioner is in custody for the last 1 year, 2 months and 10 days as under trial and he is involved in two more cases under the NDPS Act. However, he is on bail in those cases. He further submits that out of total 24 prosecution witnesses, only 10 have been examined so far. Trial is likely to take long time for its conclusion, therefore, petitioner be released on bail pending trial.



4. Notice of motion.

5. Mr. Gautam Thapar, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner. He has filed the custody certificate in the Court today, which is taken on record. As per custody certificate, the petitioner is in custody for 01 year, 2 months and 10 days.

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

7. In view of the above submissions of learned counsel for the parties and considering the custody period undergone by the petitioner and the fact that out of total 24 prosecution witnesses, only 10 have been examined; the continuous detention of the petitioner would not serve the ends of justice. Keeping in view the facts and circumstances of the present case, this Court deems it fit 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 learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. However, it is made clear that in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of her bail.

(H.S. GREWAL)
JUDGE

24.07.2025

anil

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