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

CRM-M-25747-2025

Date of Decision: 26.05.2025

KULDEEP SINGH ALIAS BABBU

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Amit Agnihotri, Advocate,
Ms. Mani Makkar, Advocate,
Ms. Anju Kaushik, Advocate
for the petitioner.

Mr. Ravneet Singh Joshi, Deputy, A.G., Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 528 of BNSS, with a prayer to grant regular bail to him in case FIR No.70 dated 28.07.2019, registered under Sections 21/27-A, 29 of NDPS Act, Police Station STF Phase-4, District SAS Nagar Mohali.

2. Learned counsel for the petitioner submits that as per the case of the prosecution, Balwinder Singh, co-accused was arrested by the police on 28.07.2019 and one kg. of heroine was recovered from his car. Thereafter, on his disclosure statement, an amount of Rs.1.02 crore was also recovered as drug money. He further submits that now Balwinder Singh, main accused has been granted the bail by this Court vide order dated 18.03.2025 (Annexure P-4) as he had already undergone about 05 years and 07 months. He next contends that that the petitioner was nominated in the present case on the basis of the



disclosure statement suffered by Balwinder Singh @ Billa, co-accused and his case is on better footing.

3. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court. He further submits that 09 cases have been registered against him including 05 cases under the provisions of NDPS Act.

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

5. No-doubt the allegations levelled against the petitioner are serious in nature, but he is in custody for the last more than 05 years and 09 months. Even the trial is not likely to conclude in near future. Thus, the further custody of the petitioner will not serve any useful purpose.

6. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.



(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner is involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

(viii) The petitioner shall report every 1st Monday in English calander month before the concerned SHO till the conclusion of the trial and SHO shall mark his presence by making an entry in the Rojnamcha.

7. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to him shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

26.05.2025
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(N.S. SHEKHAWAT)
JUDGE

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