

2025:PHHC:166920



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

224

CRM-M-36233-2025
Date of Decision: 01.12.2025

GAGANDEEP SINGH ALIAS GINNY

... Petitioner

VERSUS

STATE OF PUNJAB

... Respondent

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

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

Mr. K.D. Sachdeva, DAG, Punjab.

H.S. GREWAL, J. (ORAL)

This petition has been filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case FIR No.145 dated 14.05.2025 under Sections 21, 27-A and 29 of NDPS Act, 1985 registered at Police Station Civil Lines Batala, Police District Batala, District Gurdaspur, Punjab.

2. The case of prosecution is that 6 grams of Heroin alongwith currency notes worth Rs.650/-, stated to be drug money, were recovered from the possession of the petitioner.

3. Counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He further submits that the petitioner has already undergone a custody of 03 years and 09 months and he is not involved in any other criminal cases. He further submits that challan has already been presented

before the trial Court and the charges are yet to be framed. As such, the trial of the case may take long time to conclude.

4. Mr. K.D. Sachdeva, DAG, Punjab vehemently opposes the petition for grant of bail and has filed the custody certificate dated 29.11.2025 in the Court today, which is taken on record. He further submits that as per custody certificate, the petitioner has undergone 03 years and 09 months and he is involved in two other FIRs under the NDPS Act. He thus prays for dismissal of the present petition.

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

6. Undoubtedly, the allegations against the petitioner are serious as he has been stated to be found in conscious possession of 06 grams of heroin alongwith the drug money. However, whether the amount recovered from the petitioner is drug money or not is a matter of evidence and can be proved only during the course of trial. The petitioner has already undergone a custody of 03 years and 09 months and the trial is yet to commence, which may take a long time to conclude. Speedy trial is a material right of an accused, which could not be infringed and he cannot be kept behind bars for long, especially when his guilt is yet to be proved in accordance with law. Hence, this Court deems it appropriate to grant the concession of regular bail to the petitioner at this stage.

7. Keeping in view the facts and circumstances of the case and that the petitioner has already undergone a custody of 03 years and 09 months and the trial is yet to commence, which may take a long time to conclude, this Court is of the opinion that the petitioner deserves the concession of regular bail. Moreover, bail

is rule and jail is exception. Since the continuous detention of the petitioner would not serve the ends of justice, 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/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

9. It is clarified that if while on bail so granted through the instant order, the petitioner is found indulged in any other criminal case/activity, it shall be open to the State to seek cancellation of his bail.

10. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

DECEMBER 01, 2025.
Rajender

(H.S. GREWAL)
JUDGE

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