

219 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

2025.PHHC.182144



CRM-M-39044-2025(O&M)  
Date of Decision: 20.11.2025

SUKHWINDER SINGH ALIAS SUKHA ... PETITIONER  
VERSUS  
STATE OF PUNJAB ... RESPONDENT

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

Present:- Mr. Vivek K. Thakur, Advocate for the petitioner.

Mr. Rishabh Singla, A.A.G., Punjab.

**H.S. GREWAL, J. (ORAL)**

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 in FIR No.196 dated 17.12.2024, under Sections 21 and 25 of the Narcotic Drugs and Psychotropic Substances Act, (Section 29 of NDPS Act added later on) registered at Police Station Sadar Jagraon, District Ludhaiana.
2. Custody certificate dated 19.11.2025 filed by the State has been taken on record.
3. The case of the prosecution is that the petitioner was a pillion rider on a motor-cycle driven by Baljit Singh @ Mani and on the handle of the said motor-cycle, a polythene bag containing 304 gms of heroin was recovered.
4. It has been submitted by learned counsel for the petitioner that the present petitioner was not in conscious possession of the contraband and he has no criminal antecedents as well. In support of his submissions, he has relied upon two judgments of Co-Ordinate Bench of this Court; 1) order

dated 30.01.2025 passed in CRM-M-61683-2024 and order dated 21.07.2020 passed in CRM-M-17471-2020 which squarely cover the circumstances mentioned in his case.

5. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations. As per the custody certificate, the petitioner is in custody for 10 months and 27 days as on 19.11.2025.

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

7. Keeping in view the fact that petitioner was not in conscious possession of the contraband and he has no criminal antecedents, he has undergone actual custody for 10 months and 27 days and the trial of the case has not yet commenced, 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 a fit case 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 trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

20.11.2025  
Janki

(H.S.GREWAL)  
JUDGE

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