



CRM-M-41177-2025

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(231)

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

CRM-M-41177-2025

Date of Decision: 06.08.2025

KULDEEP SINGH @ MALI

... Petitioner

Versus**STATE OF PUNJAB**

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDIPresent: Mr. Amaninder Preet, Advocate
for the petitioner.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 483 BNSS, 2023 is for the grant of regular bail in case bearing FIR No.0013 dated 09.03.2025 registered under Section 22 of NDPS Act (Section 29 of NDPS Act added later on) at Police Station Bhadaur, District Barnala.

2. The brief facts of the case are that Kuldeep Singh @ Mali (petitioner) came to be apprehended with 800 loose intoxicant tablets containing the salt Alprazolam total weight being 100 grams. On his disclosure statement one Balwant Singh alias Vicky was nominated as an accused along with Bhim Singh alias Bhima.

3. The learned counsel for the petitioner contends that the petitioner had been falsely implicated in the present case. There was violation of mandatory provisions of the Act regarding search and seizure including Sections 42 and 50. As the petitioner is in custody since 09.03.2025, none of the 17 prosecution witnesses have been examined so far and the recovery was of non-commercial quantity of contraband, he was entitled to the concession of bail.

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4. The learned counsel for the State, on the other hand, contends that serious allegations have been levelled against the petitioner. Offences of this kind were on the rise and, therefore, he was not entitled to the concession of bail. He, however, concedes that the petitioner was in custody since 09.03.2025, none of the 17 prosecution witnesses have been examined so far and that the recovery was of non-commercial quantity of contraband.

5. I have heard the learned counsel for the parties.

6. Admittedly, the recovery from the petitioner is of non-commercial quantity of contraband. Therefore, the bar contained under Section 37 of the NDPS Act would not be applicable to the case of the petitioner. Further, the petitioner is stated to be in custody since 09.03.2025 and none of the 17 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-Kuldeep Singh @ Mali S/o Sukhdev Singh is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

06.08.2025

JITESH

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