



CRM-M-46639-2024

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

223

CRM-M-46639-2024
Date of Decision: 25.09.2025

PREM SINGH @ PREMI

PETITIONER

VS

STATE OF PUNJAB

RESPONDENT

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

Present:- Mr. Kanwaljeet Singh, Advocate for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

H.S. Grewal, J.(Oral)

1. This petition has been filed under Section 483 of BNSS for grant of regular bail to the petitioner in case FIR No. 160 dated 19.08.2023 under Sections 21,29 of NDPS Act, 1985, Sections 25 and 27 Arms Act and Section 483 of IPC registered at Police Station, City Sangrur.
2. The case of the prosecution is that the 01 Kg 300 grams of heroin along with 32 revolver along with six live cartridges, one pistol along 4 live cartridges were recovered from the bonnet of the car bearing No. HR 51 BC 8679 which is owned by the petitioner.
3. Learned counsel for the petitioner submits that the petitioner has been implicated in the present case as an accused on the basis of disclosure statement made by the co-accused Raj Kumar @ Raju in one FIR No. 295

**CRM-M-46639-2024**

dated 20.11.2022. He further submits that no independent witness has been joined at the time of recovery.

4. Learned State counsel has opposed the prayer made by the learned counsel for the petitioner. He has filed the custody certificate of the petitioner in the Court today and the same is taken on record. As per which, the petitioner is in custody for the last 02 years 01 month. He further submits that out of 34 cited prosecution witnesses, none has been examined so far.

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

6. This Court has noticed that despite service, by way of summons,ailable warrants and non-ailable warrants, the police officials are not appearing as witnesses deliberately, in the cases registered under the provisions of NDPS Act. In fact, it is matter of grave concern for all the Courts. Apart from that, it not only amounts to interference in the administration of justice, but is also violative of right of accused under Article 21 of the Constitution of India. Even, this intentional absence of official witnesses helps the accused in claiming that they had been incarcerated for a longer period and such a plea serves as an additional plea in favour of the petitioners to secure his bail.

7. Keeping in view the long incarceration of the petitioner; none witness has been examined so far; the trial is moving at a snail's pace, the continuous detention of the petitioner would not serve the ends of justice. Therefore, this Court deems it a fit case to grant the concession of regular bail to the petitioners during the pendency of the trial.



CRM-M-46639-2024

8. Hence, 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.
9. Pending application(s), if any, shall also stand disposed of.

25.09.2025
renu

(H.S.GREWAL)
JUDGE

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