



CRM-M-49827-2025

-1-

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

CRM-M-49827-2025

Date of decision: 31.10.2025

KULWINDER SINGH**...PETITIONER****VERSUS****STATE OF PUNJAB****...RESPONDENT****CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA**

Present: Mr. Narinder S. Lucky, Advocate for the petitioner.

Mr. Subhash Godara, Addl. AG, Punjab.

SUBHAS MEHLA, J. (ORAL)

1. By way of the present petition, the petitioner is seeking regular bail in FIR No.42 dated 26.06.2025 under Sections 22 of NDPS Act (Section 29 of NDPS Act, 1985 added later on) registered at Police Station Tallewal, District Barnala.

2. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case and the allegation against the petitioner is that he was allegedly found in possession of 210 intoxicant tablets of Tramadol Hydrochloride, which falls under the category of non-commercial quantity along with Rs.70/- as drug money. He further submits that petitioner is in custody since 26.06.2025 and is not involved in any other case. He further submits that investigation of the case has been completed and challan has been presented, therefore, prays for grant of his bail.



3. Notice of motion.

4. Mr. Subhash Godara, Addl. AG, Punjab accepts notice on behalf of the respondent-State and has produced the custody certificate. As per the same, petitioner has been in custody for more than 04 months. He has opposed the bail application on the ground that 210 intoxicant tablets of Tramadol Hydrochloride have been recovered from the conscious possession of the petitioner. However, he admits that the alleged contraband falls under the category of non-commercial quantity and petitioner is not involved in any other case except the present one.

5. Heard.

6. Keeping in view the facts and circumstances of the case and contentions of learned counsel for the parties, this Court finds merit in present petition as the petitioner is in custody for the last more than 04 months; the alleged contraband recovered from the present petitioner falls under the category of non-commercial quantity; investigation of the case has already been completed; challan has been presented; trial will take sufficient time to conclude and no fruitful purpose would be served by keeping him in custody for any further period, petitioner is not involved in any other case, as concession of bail cannot be denied just as a measure of punishment and it is trite principle of criminal jurisprudence that bail is a rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

7. 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 bonds to the satisfaction of the trial Court/Duty



CRM-M-49827-2025

-3-

8. Nothing observed hereinabove shall be construed to be an expression of an opinion by this Court on merits of the case. The learned Court below is directed to proceed with the matter on its own merits, lest it may prejudice the trial.

31.10.2025
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(SUBHAS MEHLA)
JUDGE

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