



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-51226-2025
Decided on : 31.10.2025

Gurditta Singh @ Santokh . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. P.S. Sekhon, Sr. Advocate with
Mr. Rajdeep Singh, Advocate
for the petitioner(s).

Mr. Jasdeep Singh, Addl. AG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Gurditta Singh @ Santokh	133	01.09.2024	22-C, 27 of NDPS Act, 1985	Special Task Force, Sector 79, SAS Nagar (Mohali)	SAS Nagar (Mohali) having jurisdiction at Bathinda

2. As per allegations, there is recovery of 250 strips of Clobidol 100, each strip containing 10 tablets (total 2500 tablets) were recovered from the bag, which was hanging on the right side of the motorcycle bearing registration No. PB03-BL-3530. Said tablets containing the salt ‘Tramadol’ weighing 682.5 grams.

3. Learned Senior counsel for the petitioner contends that petitioner is a young boy of the age of 25 years and at the prime stage of his



life, who has been falsely implicated in the case in hand by the Investigating Officer – ASI Major Singh, who subsequently found himself involved in a corruption case, and therefore, at present he is facing proceedings in case FIR No. 14, dated 21.05.2025, under Sections 7, 7-A of the PC Act, registered at P.S. Vigilance Bureau, Bathinda.

In fact, petitioner's counsel wishes to address that Investigating Officer, who is found indulged in corruption cases, should not be given the responsibility to investigate the cases registered under the NDPS Act being the sensitive issue.

4. To highlight the fair and lawful conduct of the petitioner, learned Senior counsel submits that petitioner was initially arrested on 01.09.2024, i.e., at the time of registration of the case and later on, he was released on interim bail vide order dated 11.10.2024. However, on receipt of FSL report, he himself surrendered before the authorities concerned on 20.01.2025 and since then, he is inside jail, means, he has suffered incarceration of about 11 months till date.

Charges were framed on 10.02.2025 and out of total 17 prosecution witnesses, 4 have been examined and 3 have been given up, therefore, as of now, 10 prosecution witnesses more are yet to be examined. In addition, it is also informed that petitioner is not found indulged in any other similar activity ever in past. Therefore, learned Senior counsel prays for the grant of concession of regular bail to the petitioner.

5. *Per contra*, learned State counsel has produced the status report dated 28.10.2025 in Court, which is taken on record. Office to tag the same at appropriate place.

A copy thereof has been handed over to the opposite counsel.



6. Learned State counsel while vehemently opposing the prayer for bail, submits that keeping in view the gravity of offence and nature of allegation, petitioner does not deserve any leniency. He, however, confirms the total incarceration period and other factual aspects in regard to the lawful conduct of the petitioner, as addressed by learned Senior counsel here-above.

Besides, learned State counsel does not dispute that as of now, petitioner has suffered total incarceration of about 10 months and 27 days and Investigating Officer of the case, i.e., ASI Major Singh, is facing the proceeding in a corruption case.

7. I have considered the submissions addressed by learned counsel for the parties and carefully perused the record, including the status report. All factual aspects noticed in the foregoing paragraphs have been duly examined.

8. At this stage, no conclusive comment is warranted on the conduct of the Investigating Officer – ASI Major Singh, who is stated to be facing proceedings in a corruption case, as the said proceedings were initiated subsequent to the alleged incident in the present matter. Therefore, no direct benefit can be drawn by the petitioner on that count.

9. Keeping in view the overall circumstances of the case, including that the petitioner is a young boy of 25 years with clean antecedents, that he had himself surrendered before the authorities concerned on 20.01.2025 after availing the concession of interim bail, and that he has undergone incarceration for nearly eleven months, this Court finds merit in giving due weight to his lawful conduct. Considering that out of seventeen prosecution witnesses, only four have been examined and three given up, while the remaining ten are yet to be examined, the trial is likely to



take considerable time, this Court deems it appropriate to consider the prayer for grant of regular bail to the petitioner.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

10. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

11. Any of the discussion done and recorded here-above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

12. It is further made clear that if, in future, the petitioner is found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.

13. Petition stands **disposed of**.

Pending misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

October 31, 2025

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No