



CRM-M-52293-2025 and other connected matters

-1-

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

221 **CRM-M-52293-2025**
Date of decision: 27.10.2025

SURINDER KAUR **...PETITIONER**
VERSUS

U.T.CHANDIGARH **...RESPONDENT**

225 **CRM-M-54784-2025**

BALKAR SINGH **...PETITIONER**
VERSUS

U.T.CHANDIGARH **...RESPONDENT**

230 **CRM-M-57911-2025**

GURMEET SINGH **...PETITIONER**
VERSUS

STATE OF U.T.CHANDIGARH **...RESPONDENT**

288 **CRM-M-57553-2025**

NAVNEET KAUR **...PETITIONER**
VERSUS

UNION TERRITORY, CHANDIGARH **...RESPONDENT**

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr.Arjun Dosanj, Advocate
for the petitioner(s) in CRM-M-52293-2025 and
CRM-M-54784-2025.

Mr. Arvinder Singh Khosa, Advocate
for the petitioner in CRM-M-57911-2025.

Mr. Kuldip Singh, Advocate
for the petitioner in CRM-M-57553-2025.

Mr. Manish Bansal, PP, for UT, Chandigarh in all cases.

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1. In the above mentioned petitions common question of law and facts are involved, so all the petitions are being disposed of by a common judgment. For brevity, facts are being taken from CRM-M-52293-2025 titled as “*Surinder Kaur Versus UT, Chandigarh*”

2. By way of the present petition, the petitioner(s) are seeking regular bail in FIR No.10 dated 14.04.2025 under Sections 21 and 29 of NDPS Act, 1985 registered at Police Station Crime Branch, Chandigarh.

3. As per the allegations, on 14.04.2025, SI Mohinder Kumar and his team apprehended Navneet Kaur and Balkar Singh near Government School, Sector 53, Chandigarh. Navneet Kaur was caught throwing a polythene bag containing 35.17 grams of Heroin, and Balkar Singh discarded a small electric weighing machine. Both failed to explain their possession of the items. During further investigation, on 16.04.2025, Chamkaur Singh was arrested at Navneet Kaur’s instance from Dhandi Khurd, Jalalabad, Punjab, and 100 grams of Heroin was recovered from him. He disclosed that his cousin Gurmeet Singh supplied Heroin, which was distributed in Punjab and the Tricity area with the help of Navneet Kaur and Balkar Singh. Subsequently, Gurmeet Singh, Satnam Singh, and Kuldeep Singh were arrested on 21.04.2025. Their disclosure statements revealed long-term involvement in cross-border Heroin smuggling since 2019 in collaboration with Pakistan-based smugglers. They admitted of receiving and distributing large consignments, including 18 kg of Heroin in February 2025, part of which was kept at Chamkaur Singh’s house. Further recoveries during investigation included 51.23 grams, 26.02 grams and 77.57 grams of Heroin from different locations and ₹5 lakh drug money from

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applicant-accused) was arrested from Ludhiana based on Satnam Singh's disclosure statement. Later, on 27.05.2025, 22.42 grams of Heroin was recovered from her agricultural land in Jagraon, Ludhiana. In total, 312.41 grams of Heroin has been recovered, constituting a commercial quantity under the NDPS Act.

4. Learned counsel for the petitioner(s) submitted that the petitioner(s) have been falsely implicated in the present case and are in custody for the last six months. It is submitted that the alleged recovery of Heroin shown to have been effected from the petitioner(s) falls under the category of non-commercial quantity. Learned counsel for the petitioner(s) further submits that different recoveries at different times have been attributed to the petitioner(s), which, as held by the Hon'ble Supreme Court in ***Amar Singh Ramji Bhai v. State of Gujarat, (2005) 7 SCC 550***, cannot be clubbed together. It is further argued that the investigation has been completed, the challan has been presented, and charges have already been framed; hence, there is no likelihood of the petitioner(s) tampering with the prosecution evidence or influencing the witnesses, who are all police officials. It is also submitted that the petitioner(s) are not involved in any other criminal case. Accordingly, it is prayed that the petitioner(s) be released on regular bail.

5. Notice of motion.

6. Mr. Manish Bansal, PP, for UT, Chandigarh, accepted notice on behalf of the respondent-State and produced the custody certificate of the petitioner, which is taken on record. Learned State counsel vehemently opposed the prayer for grant of regular bail to the petitioners by submitting that the total recovery effected in the present case is 312.41 grams of heroin which

falls under the commercial quantity.

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7. Heard.

8. Keeping in view the facts and circumstances of the case and the fact that the different recoveries at different times have been effected from the petitioner(s); the investigation of the case has been completed; challan has been presented and charges have been framed; there is no material on record to show that petitioner(s) are not involved in any other case except the present one as admitted by learned State counsel; trial will take sufficient time to conclude and no fruitful purpose would be served by keeping them in custody for any further period, as concession of bail cannot be denied just as a measure of punishment and it is trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner(s).

9. Therefore, without expressing any opinion on the merits of the case, the instant petitions are allowed. The petitioner(s) are ordered to be released on regular bail on their furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

10. Nothing observed hereinabove shall be construed to be 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.

11. Photocopy of this order be placed on the files of other connected cases.

27.10.2025
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(SUBHAS MEHLA)
JUDGE

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