



219-1 & 3 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of decision: 13.11.2025

1. CRM-M-40720-2025
KESHAV BAWA
V/S
STATE OF PUNJAB
...PETITIONER
...RESPONDENT

2. CRM-M-52587-2025
SUNDER @ MICHAEL
V/S
STATE OF PUNJAB
...PETITIONER
...RESPONDENT

CORAM: HON’BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Arnav Sood, Advocate for the petitioner.
(in CRM-M-40720-2025)

Mr. Rajesh K. Dadwal, Advocate for the petitioner.
(in CRM-M-52587-2025)

Mr. Surinderjit Singh Nahar, AAG, Punjab.

SUBHAS MEHLA, J. (ORAL)

1. This order of mine shall dispose of the above-mentioned petitions as both are arising from the same FIR. For the sake of brevity, facts are borrowed from *CRM-M-40720-2025* titled as *Keshav Bawa vs. State of Punjab*.
2. By way of the present petitions, the petitioners are seeking regular bail in case FIR No.64 dated 06.03.2025 registered under Sections 21, 22, 29 and 59(2) of Narcotic Drugs and Psychotropic Substances Act, 1985 (Sections 27, 27-A of NDPS Act and 111 of BNS, 2023 added later on) at



Police Station Anti Narcotics Force, Hoshiarpur (Upon oral request made by learned counsel for the petitioner in CRM-M-52587-2025, Section 111 of BNS, 2023 is added today itself in the head-note as well as prayer clause of the petition).

3. Learned counsel for the petitioners contended that the petitioners have been falsely involved in the present case; no recovery of any incriminating material has been effected from the petitioners; offence under Section 111 of BNS, 2023 is not made out against petitioner-Keshav Bawa as he is not involved in any other criminal activity except the present one; the petitioners are behind the bars for the last more than 06 months and the trial will take sufficient time to conclude. As such, the petitioners deserve to be granted bail.

4. Learned State counsel opposed the prayer made by the petitioners and submitted that they are actively involved in a racket, who provides narcotic and psychotropic substances in the jail and petitioner-Sunder @ Michael is involved in three more cases. As such, learned State counsel prayed for dismissal of the present petitions.

5. Heard.

6. Keeping in view the facts and circumstances of the present cases and the fact that petitioners are in custody for the last more than 06 months; investigation has already been completed; challan has been presented and the case is fixed for prosecution evidence; trial will take sufficient time to conclude; there is no material on file which would suggest that after the petitioners will be released on bail, they would tamper with the evidence as all the material witnesses are official witnesses 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 a 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 petitioners.

7. Therefore, without expressing any opinion on the merits of the case, both the petitions are allowed. The petitioners 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.

8. 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.

9. A photocopy of this order be placed on the file of other connected case.

November 13, 2025
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(SUBHAS MEHLA)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |