



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

230-2+239

Date of decision: 04.12.2025

1.

CRM-M-54977-2025

SUNDER SINGH

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

2.

CRM-M-63311-2025

GURWINDER SINGH ALIAS GOVINDA

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Sandeep Arora, Advocate
for the petitioner in CRM-M-54977-2025.

Mr. Munish Bhardwaj, Advocate and
Mr. Rahul Bhardwaj, Advocate
for the petitioner in CRM-M-63311-2025.

Mr. Surinderjit Singh Nahar, AAG, Punjab.

SUBHAS MEHLA, J. (ORAL)

1. This order 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-54977-2025* titled as *Sunder Singh 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 vide order dated 03.11.2025 in CRM-M-54977-2025 and vide order dated 28.11.2025 in CRM-M-63311-2025 respectively) at Police Station Anti Narcotics Force, Hoshiarpur.

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; the case of the petitioner-Sunder Singh is on parity with co-accused, namely, Keshav Bawa, who has been granted the concession of regular bail by this Court vide order dated 13.11.2025 passed in ***CRM-M No.40720 of 2025*** titled as '*Keshav Bawa vs. State of Punjab*'; offence under Section 111 of BNS, 2023 is not made out against petitioner-Sunder Singh 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-Gurwinder Singh @ Govinda is involved in other cases also. 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.

December 04, 2025
manisha

(SUBHAS MEHLA)
JUDGE

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