



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

CRM-M-56160-2025
Date of decision: 09.12.2025

PRITAM SINGH @ LADDI

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Rakesh Kumar, Advocate
for the petitioner.

Mr. Surinderjit Singh Nahar, AAG, Punjab.

SUBHAS MEHLA, J. (ORAL)

1. By way of the present petition, the petitioner is seeking regular bail in case FIR No.0054 dated 21.05.2023 registered under Sections 22/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') (Section 27A of NDPS Act added later on) at Police Station Subhanpur, District Kapurthala.

2. Learned counsel for the petitioner contended that petitioner is in custody for the last 02 years, 05 months and 12 days and except the present case, the petitioner is involved in one more case under the NDPS Act, wherein the quantity of contraband falls under the category of small quantity. Learned counsel has placed reliance on the judgment passed by this Court in *Pushpinderpreet Singh @ Sikandar @ Pushpa vs. State of Punjab, 2025 NCPHHC 51783; Bhupinder Singh @ Bhinder vs. State of Punjab, 2024 NCPHHC 86847* and *Mahesh Kumar @ Mahesh Arora vs. State of Punjab,*



2025 NCPHHC 97072, wherein the custody of the accused was only one year and he was granted the concession of regular bail. As such, the petitioner deserves to be granted bail.

3. Learned State counsel has produced the custody certificate of the petitioner, which is taken on record. Learned State counsel submitted that in the present case, commercial quantity of contraband has been recovered from the petitioner and he is also involved in one more case under the NDPS Act, however, learned State counsel has no instructions with regard to the quantity recovered in another case.

4. Heard.

5. Keeping in view the facts and circumstances of the present case and the fact that as per the custody certificate of the petitioner, petitioner is in custody for the last 02 years, 05 months and 12 days; except the present case, the petitioner is involved in one more case under the NDPS Act, wherein the contraband recovered falls under the category of small quantity as per the contention of learned counsel for the petitioner; trial will take sufficient time and no fruitful purpose would be served by keeping the petitioner in custody for any further period, as concession of bail cannot be denied just as a measure of punishment as culpability of accused is to be decided after appreciating evidence adduced by both parties 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 petitioner.

6. 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 Magistrate/Chief Judicial Magistrate concerned.

7. 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.

December 09, 2025
manisha

(SUBHAS MEHLA)
JUDGE

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