



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

CRM-M-57122-2025
Date of decision: 11.11.2025

KULWINDER SINGH @ BRAR

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Vaibhav Narang, Advocate for the petitioner.

Mr. Subhash Godara, Addl. A.G. Punjab.

SUBHAS MEHLA, J. (ORAL)

1. By way of the present petition, the petitioner is seeking regular bail in case FIR No.0191 dated 27.06.2025, registered under Sections 21(b), 27-A and 29 (added later on) of NDPS Act, 1985 at Police Station Islamabad, District Police Commissionerate, Amritsar.

2. Learned counsel for the petitioner contended that the present petitioner has been falsely implicated in the present case; upon arrest of the petitioner and co-accused Jobanpreet Singh @ Joban, an alleged recovery of Rs.6,00,000/- was made from them jointly, however, no contraband has been recovered from the possession of the present petitioner. Learned counsel further contended that the case of co-accused, namely, Saloni, Abdul Rehman and Jobanpreet Singh @ Joban is on similar footings and they have been granted regular bail by this Court vide orders dated 19.09.2025, 26.08.2025 and 31.10.2025 passed in **CRM-M Nos.52024, 45401 and 59652 of 2025** respectively. The petitioner is not involved in any other criminal activities except the present one and the petitioner is behind bars for the last more than



03 months. The trial will take sufficient time to conclude. As such, the petitioner deserves to be granted bail.

3. Learned State counsel does not dispute that the case of the petitioner is on similar footings as of co-accused, Jobapreet Singh @ Joban and that except the present case, the petitioner is not involved in any other criminal activity.

4. Heard.

5. Keeping in view the facts and circumstances of the present case; allegations against the present petitioner that an amount of Rs.6,00,000/- has been recovered from the possession of present petitioner and co-accused Jobanpreet Singh @ Joban jointly; it is a moot question whether same is drug money or not and to be adjudicated during trial after recording of evidence on behalf of parties; the petitioner has been in custody approximately for a period of more than 03 months; the petitioner is not involved in any other criminal activity; and co-accused, Saloni, Abdul Rehman from whom recovery of Rs.1,25,000/- and Rs.2,15,000/- was made respectively and Jobanpreet Singh @ Joban have already been granted regular bail by this Court vide orders dated 19.09.2025, 26.08.2025 and 31.10.2025 passed in **CRM-M Nos.52024, 45401 and 59652 of 2025** respectively; trial will take sufficient time to conclude and no fruitful purpose would be served by keeping him 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 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.

November 11, 2025
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(SUBHAS MEHLA)
JUDGE

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