



**In the High Court for the States of Punjab and Haryana at
Chandigarh**

217-I

CRM-M-62284-2025 (O&M)
Date of Decision:- 11.12.2025

Chamkaur Singh ... Petitioner
Versus
Union Territory, Chandigarh ... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Kuldip Singh, Advocate for the petitioner.
Mr. Manish Bansal, P.P. U.T., Chandigarh.

SUBHAS MEHLA, J. (Oral)

1. By way of the present petition, the petitioner is seeking regular bail in FIR No.10 dated 14.04.2025, registered under Section 21 of NDPS Act (Section 29 of NDPS Act was added later on) at Police Station Crime Branch, District Chandigarh.
2. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case at the instance of co-accused and 100 grams of 'heroin' has been recovered, which falls under the non-commercial quantity. The present petitioner is in custody since 16.04.2025 i.e. for the last about 07 months and 13 days. He further submits that co-accused namely Surinder Kaur, Balkar Singh, Gurmeet Singh and Navneet Kaur have already been granted bail by this Court vide a common order dated 27.10.2025 passed in CRM-M-52293-2025, CRM-M-54784-2025, CRM-M-57911-2025 and CRM-M-57553-2025 respectively. Hence, prayed for concession of bail to the petitioner as trial will take sufficient time to conclude.



3. Custody certificate of petitioner filed by learned State counsel today in Court, is taken on record. He has opposed the bail of the petitioner by submitting that 100 grams of ‘heroin’ has been recovered at the instance of the present petitioner. However, it is not disputed that the recovered contraband falls under non-commercial quantity, and prayed for dismissal of his bail petition.

4. Heard.

5. Keeping in view the facts and circumstances of the case, this Court finds that contraband recovered i.e. 100 grams of ‘heroin’, falls under non-commercial quantity. The petitioner is in custody for the last about 07 months and 13 days; there is no other material to suggest that he is involved in any other case; aforementioned co-accused have already been granted bail by this Court; 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.

11.12.2025
Geeta

(SUBHAS MEHLA)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No