



CRM-M-71386-2025

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

CRM-M-71386-2025

Date of decision: 23.12.2025

BITTU

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Karandeep Singh Sidhu, Advocate for the petitioner.

Mr. Raj Karan Singh, AAG, Punjab.

RAJESH BHARDWAJ, J. (ORAL)

1. Present petition has been filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in FIR No.319 dated 25.12.2022, under Sections 21(c) of NDPS Act (later on added Section 29 of NDPS Act vide report no. 20 dated 27.12.2022), registered at Police Station STF Phase-4, Mohali, District SAS Nagar.

2. Succinctly, facts of the case are that while on patrolling on 25.12.2022, when they reached near Chowk Makhu Gate, Ferozepur City and received a secret information to the effect that one Kulwant Singh, who was involved in the sale of heroin, was presently carrying a cloth bag containing a huge quantity of heroin. He was going towards Akalsar Sahib Gurudwara with the intention of delivering the said contraband to his customers. If a barricading was laid near Akalsar Sahib Gurudwara, a heavy quantity of heroin could be recovered from his possession. On receiving the secret information, a police party reached the place as disclosed and apprehended him. On asking, he disclosed his name to be Kulwant Singh and 1 kg of heroin was recovered from

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his conscious possession. He failed to produced any licence regarding the possession of the same, and thus, on registration of the FIR, he was arrested. The investigation commenced. Samples taken were sent to the FSL. On receiving the FSL report, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Judge, Special Court, Ferozpur praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 27.11.2025. Hence, the petitioner has approached this Court praying for grant of regular bail by way of filing the present petition.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail to the petitioner on the basis of parity with that of the co-accused, namely, Karnail Singh @ Kinnu. He has drawn the attention of this Court to the order dated 13.10.2025, passed in CRM-M-42227-2025, whereby, co-accused Karnail Singh @ Kinnu has been granted regular bail by this Court. He submits that the petitioner is behind bars since 27.08.2025. He submits that on the basis of the parity, the petitioner deserves to be granted bail as the case of the petitioner is similar to that of the said co-accused, who has already been granted bail.

4. Learned State counsel has endorsed the factum of grant of bail to the co-accused of the petitioner as stated above and has not denied that the petitioner is at par with the co-accused, namely, Karnail Singh @ Kinnu. He has produced custody certificate of the petitioner today in the Court and the same is taken on record.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since 27.08.2025. Co-accused,

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namely, Karnail Singh @ Kinnu is on bail and the case of the petitioner as stated is at par with him. As submitted before this Court, the petitioner has completed incarceration of about 05 months and 05 days and he is not involved in any other case.

6. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner on the basis of parity. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

7. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

23.12.2025
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(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No