



CRM-M-8614-2026 1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-8614-2026
Decided on : 20.04.2026

SUKHWANT SINGH @ SUKHA BABA
.....Petitioner
Versus
STATE OF PUNJAB
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Amandeep Singh, Advocate,
for the petitioner.

Mr. Vinay Malhotra, DAG, Punjab.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Sukhwant Singh @ Sukha Baba, aged about 56 years	351	14.11.2023	21, 21-C, 27, 29 of NDPS Act	STF Mohali	Mohali

2. As per the case of prosecution, 2.600 kilograms of heroin containing diacetylmorphine, without any licence or permit, was allegedly recovered from the possession of the main accused-Gurjant



Singh @ Janta, while he was travelling in a Swift car, bearing registration No. HR-26-CJ-2401.

Case of the prosecution is further developed on the premise that, during investigation, certain phone calls allegedly made by the main accused to the present petitioner were noticed on 26.01.2024. However, despite this, petitioner came to be arrested only on 14.11.2025.

3. Learned counsel for the petitioner contends that there is no explanation for the inordinate delay of nearly two years between the registration of the FIR and arrest of the petitioner. It is further argued that no independent or corroborative evidence has been collected by the investigating agency linking the petitioner to the alleged recovery effected from the main accused, Gurjant Singh @ Janta.

It is further submitted that petitioner is in judicial custody since 14.11.2025, i.e., for a period of approximately five months. Notably, no recovery has been effected from the petitioner, either at the time of his arrest or thereafter.

Counsel also submits that petitioner has been falsely implicated in the present case, merely on the basis of alleged disclosure statements of the main accused. It is pointed out that even in two earlier FIRs, where the petitioner was similarly nominated, no recovery was effected from him.

4. It is also highlighted that the main accused, Gurjant Singh @ Janta, has already been granted the concession of regular bail by a Co-ordinate Bench of this Hon'ble Court, vide order dated 18.02.2026 passed in CRM-M-50850-2025.



It is further submitted that investigation in the present case stands completed. Out of total 15 prosecution witnesses, only 2 have been examined, while 7 have been given up. Therefore, conclusion of trial is likely to take a considerable amount of time. In such circumstances, no useful purpose would be served by continued incarceration of the petitioner. Thus, it is prayed that petitioner be granted the concession of regular bail in the present case.

5. In response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 19.04.2026 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 05 months and 02 days period inside jail.

6. Learned State counsel, while opposing the prayer and submissions made on behalf of the petitioner, submits that recovery of contraband effected in the present case is substantial and falls within the category of commercial quantity. It is further contended that, in view of the grave nature of the allegations, petitioner does not deserve the concession of bail.

7. This Court has heard the submissions addressed by learned counsel for the parties and has carefully perused the record available on file.

8. Admittedly, the main accused-Gurjant Singh @ Janta, from whom the contraband was recovered, has already been granted the



concession of regular bail. Present petitioner has been nominated in the case solely on the basis of the disclosure statement of the said co-accused. Notably, petitioner came to be arrested after a delay of nearly two years from the date of registration of the FIR.

It is further observed that out of total 15 prosecution witnesses, only 2 have been examined, while 7 have been given up. Thus, conclusion of trial is likely to take a considerable amount of time. In such circumstances, continued incarceration of the petitioner would serve no useful purpose.

9. Therefore, in view of the totality of the circumstances, nature of allegations, and the factors noticed here above, particularly stage of trial, this Court deems it appropriate to grant the concession of regular bail to the petitioner in the present case.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

10. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

11. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an



independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

12. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

13. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

20.04.2026
Lavisha

Whether Speaking/Reasoned: YES/~~NO~~
Whether Reportable: YES/~~NO~~