



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

CRM-M-13530-2026
Date of decision: 23.04.2026

KULDEEP SINGH

...PETITIONER

V/S

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Rajdeep Singh Gill, Advocate for the petitioner.

Mr. Surender Singh Pannu, Addl. A.G., Haryana.

SUBHAS MEHLA, J. (ORAL)

1. By way of the present petition, the petitioner is seeking regular bail in FIR No.08 dated 11.01.2026 (Annexure P-1), registered under Sections 21-B, 27-A and 31 of NDPS Act, 1985, at Police Station Tohana, District Fatehabad.

2. Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the present case; he has been nominated as supplier of contraband, on the basis of disclosure statement of co-accused, namely, Sunny, which is inadmissible in evidence; co-accused, namely, Sunny has already been granted the concession of regular bail by this Court vide order dated 20.04.2026 passed in **CRM-M No.12121 of 2026**; the petitioner has been in custody since 12.01.2026; the contraband allegedly recovered i.e. 9.2 grams of 'heroin', is marginally above the small quantity; petitioner is not required for any investigation purpose as investigation has already been completed; challan stands presented; charges are yet to be framed, and the trial



is likely to take considerable time to conclude, therefore, learned counsel prayed for grant of concession of regular bail to the petitioner.

3. Custody certificate of the petitioner filed by learned State counsel today in Court, is taken on record. As per custody certificate, the petitioner has been in custody for the last more than 03 months. Learned State counsel opposed the prayer made by learned counsel for the petitioner by submitting that the petitioner is a habitual offender and is involved in 07 more cases, under the NDPS Act and if released on bail, he will be indulged in similar activities.

4. In rebuttal, learned counsel for the petitioner submitted that after year 2021, no case has been registered against the petitioner and in the present case, except the disclosure statement made by co-accused, there is no other evidence to prove the complicity of the petitioner.

5. Heard.

6. Keeping in view the facts and circumstances of the case and without commenting upon the merits of the case, the petitioner has been involved in the present case as a supplier, on the basis of disclosure statement of co-accused Sunny and he has already been enlarged on regular bail by this Court; petitioner is in custody since 12.01.2026; investigation has already been completed; challan stands presented; charges are yet to be framed; the trial is likely to take considerable 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.



7. Moreover, the Hon’ble Supreme Court in “*Prabhakar Tewari vs. State of U.P. and another*” 2020 (1) R.C.R. (Criminal 831) and “*Maulana Mohd. Amir Rashadi vs. State of U.P. and another*”, 2012 (2) SCC 382, has held that the involvement of the accused in other criminal cases cannot be the sole ground to deny him the concession of regular bail.

8. 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.

April 23, 2026
manisha

(SUBHAS MEHLA)
JUDGE

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