



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

CRM-M-15386-2026
Date of decision: 08.04.2026

BALJIT SINGH @ BALJIT SINGH GHUMAN

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Mitul Singh Rana, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

SUBHAS MEHLA, J. (ORAL)

1. By way of the present petition, the petitioner is seeking regular bail in case FIR bearing No.64 dated 06.03.2025, registered under Sections 21, 22, 29 and 59(2) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') (Sections 27, 27-A of NDPS Act and 111 of BNS, 2023 added later on) at Police Station Anti-Narcotics Force (ANTF) Wing, Hoshiarpur.

2. Learned counsel for the petitioner contended that the petitioner was working as Jail Superintendent, Central Jail, Hoshiarpur; allegation against the petitioner is that under his supervision, narcotics drug racket was going on in the jail; except this bald allegation, nothing incriminating has come on record to prove the complicity of the petitioner; the bank statement of co-accused, V.C. Operator Nirvir Singh shows that an amount of Rs.10,000/- was given to him by the petitioner, however, there is no material evidence to show that the petitioner shared any illegal money with any of the other co-



accused. It is further contended that three co-accused, namely, Keshav Bawa, Sunder @ Michael and Jivtesh Sethi have already been granted the concession of regular bail by this Court vide orders dated 13.11.2025 & 09.02.2026 passed in **CRM-M Nos.40720, 52587 and 49855 of 2025** (Annexures P-3 and P-4 respectively); the petitioner is behind the bars for the last 02 months and 22 days; investigation has already been completed qua the petitioner; charges have been framed; the trial will take sufficient time to conclude; no fruitful purpose would be served by keeping the petitioner behind the bars; the petitioner is not involved in any other criminal activity except the present one; petitioner is having a clean service record for the last about 27/28 years and is due to retire from service next year, however, on account of departmental friction, petitioner has falsely been involved in the present case. As such, the petitioner deserves to be granted bail.

3. Learned State counsel produced the custody certificate of the petitioner as well as status report dated 07.04.2026 by way of an affidavit of Kirpal Singh, PPS, Deputy Superintendent of Police, Anti-Narcotics Task Force, Ropar Range, SAS Nagar and the same are taken on record. He opposed the prayer made by the petitioner and submitted that petitioner along with other co-accused is involved in a drug racket, running in the jail, wherein the petitioner is at helm of affairs. During the tenure of petitioner as Superintendent, Central Jail, Hoshiarpur, only six FIRs have been registered under the NDPS Act and one of the co-accused, namely, Lakhvir Singh (private acquaintance of jail inmates), transferred an amount of Rs.50,000/- in the account of one of his acquaintances, namely, Sunder Singh (Head Warder). On a query put by this Court if there is any statement of any of the co-accused



that petitioner is the beneficiary of the drug money, learned State counsel submitted that statement of only one co-accused, namely, Nirvir Singh is there, who disclosed that under the control of petitioner, illegal activities are being carried out in jail and he is the beneficiary thereof.

4. Heard.

5. Keeping in view the facts and circumstances of the present case and taking into consideration the material available on record against the petitioner, petitioner is in custody for the last 02 months and 22 days; investigation has already been completed qua petitioner; challan has been presented and the case is fixed for prosecution evidence; trial will take sufficient time to conclude; petitioner is not involved in any other criminal activity except the present one and no fruitful purpose would be served by keeping him in custody for any further period, this Court deems it a fit case to grant the concession of regular bail to the petitioner 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.

6. Therefore, without expressing any opinion on the merits of the case, present 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, subject to the following conditions that the petitioner shall not :-

- (i) *Tamper with the prosecution evidence;*
- (ii) *Contact or influence any witness directly or indirectly and*
- (iii) *Leave the country without prior permission of the Court.*



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.

April 08, 2026
manisha

(SUBHAS MEHLA)
JUDGE

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