



CRM-M-17382-2026

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

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Date of decision : 07.04.2026

YADWINDER SINGH ALIAS SUNNY

... PETITIONER

Versus

STATE OF PUNJAB

.. RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Tanvir Singh Grewal, Advocate for the petitioner.

Mr. Surinderjit Singh Nahar, AAG, Punjab.

H.S. Grewal, J.(Oral)

1. This petition has been filed by the petitioner under Section 483 BNSS, 2023 (corresponding Section 439 Cr.P.C.) for grant of regular bail in case FIR No. 166 dated 30.08.2025 under Section 21 of NDPS Act (Section 29 of NDPS Act added later on) registered at Police Station, City Sangrur, District Sangrur.

2. The case of the prosecution is that the petitioner along with his co-accused Bara Singh was apprehended and 51 grams of heroin was recovered from them.

3. Learned counsel for the petitioner, however, submits that the petitioner has been falsely implicated in this case and there is non-compliance of mandatory provisions of the NDPS Act. It is submitted that although the alleged recovery was shown to be effected from a public place but no independent witness was joined during investigation. He further submits that

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the alleged recovery falls under the category of non-commercial quantity, and therefore, the provisions of Section 37 of the NDPS Act are not attracted in the present case. He also submits that the petitioner is in custody for the last more than 07 months and 04 days and co-accused Bara Singh has already been granted bail by this Court in CRM-M-66442-2025 on 05.03.2026. Although the petitioner is involved in another case under the NDPS Act but he is on bail in that case. He, therefore, prays for release of the petitioner on regular bail as the trial is likely to take a long time as none of the prosecution witness has been examined so far.

4. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner. He has filed the custody certificate in Court, which is taken on record. As per the custody certificate, the petitioner is in custody for the last more than 07 months and 04 days. He, upon instructions, submits that although challan has been presented but none of the prosecution witness has been examined so far.

5. I have heard the learned counsel for the parties and perused the record.

6. In view of the above submissions of learned counsel for the parties and keeping in view the facts that the petitioner is in custody for the last more than 07 months and 04 days, co-accused has already been granted bail and that the trial is likely to take a long time as none of the prosecution witness has been examined so far, therefore, this Court deems it appropriate to grant the concession of regular bail to the petitioner during the pendency of the trial as the continuous detention of the petitioner would not serve the ends of justice.



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7. 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 bail bonds, surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.
8. However, it is made clear that in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of his bail.

April 07, 2026
Sonia

(H.S.GREWAL)
JUDGE

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