



CRM-M-18508-2026

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

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CRM-M-18508-2026
Date of decision : 17.04.2026

NISHAN SINGH ALIAS SHANA

... PETITIONER

Versus

STATE OF PUNJAB

.. RESPONDENT

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

Present:- Mr. Sukhbir Maandi, Advocate for the petitioner.

Mr. Rohit Hans, DAG, Punjab.

H.S. Grewal, J.(Oral)

1. This petition has been filed by the petitioner seeking regular bail under Section 483 BNSS, 2023(erstwhile Section 439 Cr.P.C.), in case FIR No.28 dated 22.02.2026, under Sections 21 & 27-A of the NDPS Act (offence under Sections 29, 61, 85 of the NDPS Act added later on), registered at Police Station Chattiwind, District Amritsar (Rural).

2. The case of the prosecution is that on 22.02.2026, the petitioner was apprehended on the basis of suspicion when he allegedly attempted to throw a substance wrapped in a plastic envelope, which was kept in the right pocket of his lower. Upon checking thereof, 7 grams of heroin (non-commercial quantity) was recovered and from the personal search of the petitioner, an amount of Rs.200/- was also recovered, which is alleged to be drug money.



3. Learned counsel for the petitioner, however, submits that the petitioner has been falsely implicated in this case and there is no incriminating material which would connect him with the alleged offence. It is submitted that there is non-compliance of mandatory provisions of the NDPS Act as no independent witness was joined during recovery. Learned counsel also submits that the petitioner is in custody for the last more than 01 month and 22 days and is not involved in any other case under the NDPS Act. He, therefore, prays for release of the petitioner on regular bail as the trial is likely to take a long time as challan is yet to be presented.

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 01 month and 22 days. He, upon instructions, submits that challan is yet to be presented.

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 01 month and 22 days, he is not involved in any other case under the NDPS Act, the alleged recovery of contraband is of non-commercial quantity and that the trial is likely to take a long time because challan is yet to be presented, 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.

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/complainant/injured would be at liberty to seek cancellation of his bail.

April 17, 2026
Sonia

(H.S.GREWAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No