



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

CRM-M-23180-2026
Date of decision: 21.05.2026

SANDEEP SINGH @ SIDHU

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

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

Mr. Subhash Godara, Addl. A.G. Punjab.

SUBHAS MEHLA, J. (ORAL)

1. By way of present petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') the petitioner is seeking regular bail in case bearing FIR No.113 dated 01.07.2025 under Section 21-B of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') registered at Police Station Sardulgarh, District Mansa.

2. In the present case, the petitioner was apprehended for having illegal possession of 7 grams of heroin.

3. Learned counsel for the petitioner prayed for grant of regular bail to the petitioner on the following grounds :

- i. Petitioner has been falsely implicated in the present case;
- ii. Petitioner is in custody since 02.07.2025 i.e. for the last 10 months and 18 days;
- iii. The contraband recovered from the petitioner is marginally above the small quantity;



iv. Petitioner is not involved in any other case under the NDPS Act; and

v. Investigation in the present case has been completed and final report under Section 193 BNSS has been filed.

4. Learned State counsel has produced the custody certificate of the petitioner dated 20.05.2026, which is taken on record. He opposed the prayer for grant of regular bail to the petitioner on the ground that the petitioner is a habitual offender as he is involved in three more cases. However, he did not dispute the fact that petitioner is not involved in any case under the NDPS Act.

5. Heard.

6. Keeping in view the facts and circumstances of the present case, this Court finds merit in the present petition seeking the concession of regular bail to the petitioner, on the following grounds:

- i. Petitioner is in custody since 02.07.2025 i.e. for the last 10 months and 18 days;
- ii. The contraband recovered from the petitioner is marginally above the small quantity; and
- iii. Petitioner is not involved in any other case under the NDPS Act.
- iv. Trial will take sufficient time to conclude. No fruitful purpose would be served by keeping the petitioner in custody for any further period. Concession of bail cannot be denied just as a measure of punishment as culpability of accused is to be decided after appreciating evidence adduced by both the parties. 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.

Hence, in view of aforementioned grounds, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

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 bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. Pending miscellaneous application(s), if any, also stand(s) disposed of.

May 21, 2026
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(SUBHAS MEHLA)
JUDGE

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