



CRM-M-24998-2025

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

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**CRM-M-24998-2025
Decided on :09.02.2026**

Gagandeep Singh Kung @ Gagan

. . . Petitioner(s)

Versus

State of U.T. Chandigarh

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Abhishek Joon, Advocate for the petitioner .

Mr. Manish Bansal, P.P., U.T. Chandigarh.

SANJAY VASHISTH, J. (Oral)

1. Present Second petition has been filed under Section 483 of BNSS, seeking regular bail in FIR No. 008 dated 30.04.2024, under Sections 21,22 and 29 of NDPS Act, registered at Police Station ANTF, Chandigarh, U.T. Chandigarh.

2. The first bail petition, i.e. CRM-M-7509-2025, preferred by the petitioner, was disposed of as withdrawn after being argued for some time, vide order dated 14.02.2025 (P-3).

3. Learned counsel for the petitioner submits that the alleged recovery in the present case is of 20 grams of heroin, which is more than twelve times less than the maximum prescribed non-commercial quantity, i.e. 250 grams. Learned counsel further submits that, till date, the trial has

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not been completed, as out of a total of 28 prosecution witnesses, only 04 have been examined so far. Accordingly, a prayer is made for grant of bail.

4. Learned counsel for the respondent/U.T. submits that petitioner is a habitual offender involved in similar offences, as there are a total of 07 cases registered against him, and thus prays for dismissal of the bail application.

5. I have heard learned counsel for the parties and have carefully perused the paper-book, along with the documents appended thereto, including the status report.

6. Undoubtedly, petitioner is facing 07 criminal cases under the NDPS Act and may not ordinarily be entitled to the concession of bail. However, considering the fact that petitioner is inside for a period of last about one year and nine months, and that the trial is not progressing at the required pace, he cannot be compelled to remain in custody for an indefinite period. Accordingly, this Court finds merit in the prayer of the petitioner. Consequently, present petition is allowed.

Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an



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independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

8. It is further made clear that if, in future, the petitioner is found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.

9. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

09.02.2026
Rashmi

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No