



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

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**CRM-M No.25116 of 2026
Date of decision : 8.5.2026
Date of uploading : 8.5.2026**

Kuldeep Singh @ Gallo

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

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

Mr. Hemant Aggarwal, DAG, Punjab

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.25 dated 13.3.2026 under Sections 21/27-A/29/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Mattewal, District Amritsar.

2. The gravamen of the FIR in question is that the petitioner is an accused of being involved in FIR pertaining to NDPS Act involving 6 grams of heroin and ₹600/- drug money allegedly recovered from the petitioner on 13.3.2026 near Crematorium, village Tahli Sahib.

3. Learned counsel for the petitioner has urged that the petitioner is in custody since 13.3.2026. Learned counsel has further argued that the



contraband alleged to have been recovered at the end of the petitioner is 6 grams of heroin, which is non-commercial in nature. Learned counsel has further urged that the police has sought to invoke the rigors of Section 37 of NDPS Act in the petition against the petitioner by iterating that ₹600/- has been recovered from the petitioner, which is drug money. Learned counsel has further argued that the sole basis of terming the said recovery of ₹600/- as drug money, is the confessional statement of the petitioner himself, which is not tenable in law. Learned counsel has further iterated that the petitioner is a man with clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 7.5.2026 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner is in custody since 13.3.2026. Culmination of investigation and presentation of challan as also the conclusion of trial, in case occasion so arises, will indubitably take long time. It is not disputed that the contraband alleged to have been recovered is 6 grams heroin, which is undoubtedly non-commercial in nature. The terming of ₹600/- as drug money is the confessional statement of the petitioner himself which aspect will be tested during the course of trial. This Court does not



deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1 As per custody certificate dated 7.5.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 01 month and 23 days & is not shown to be involved in any other case.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.
- (viii) The petitioner shall submit, on the first working day of every month, an affidavit, before the concerned trial Court, to the effect that he has not been involved in commission of any offence after being released on bail. In case the petitioner is found to be involved in any offence after his being enlarged on



bail in the present FIR, on the basis of his affidavit or otherwise, the State is mandated to move, forthwith, for cancellation of his bail which plea, but of course, shall be ratiocinated upon merits thereof.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.
9. Ordered accordingly.
10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

8.5.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No