

**In the High Court of Punjab and Haryana at Chandigarh****219****CRM-M-25608-2026****Date of Decision: 12.05.2026****HARNEK SINGH****....PETITIONER****VERSUS****STATE OF PUNJAB****...RESPONDENT****CORAM: HON'BLE MR. JUSTICE H.S.GREWAL**

Present: Mr. Rishu Mahajan, Advocate the petitioner.

**********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.01 dated 01.01.2025, under Section 21 of the NDPS Act, 1985, registered at Police Station Special Task Force, District STF Wing, Ferozepur.
2. The case of the prosecution is that the petitioner, along with coaccused Sunil Singh @ Sheelu, was travelling on a motorcycle when they were apprehended by the police on the basis of suspicion. Upon checking, one black wax envelope lying on the seat of the motorcycle was found, from which 500 grams of heroin was allegedly recovered.
3. Learned counsel for the petitioner, however, submits that the petitioner has been falsely implicated in the present 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. It is further submitted that whether the alleged recovery was effected from the conscious possession of the petitioner is yet to be established during the course of trial. It is also submitted that co-accused has already been granted concession of regular bail by this Court vide order dated 24.04.2026 in CRM-M-21037-2026. He, therefore, prays for release of the petitioner on regular bail as the trial is likely to take a long time as none out of 19 cited prosecution witnesses have been examined so far.

4. Notice of motion.

5. On the asking of the Court, Mr. Rohit Hans, DAG, Punjab, accepts notice on behalf of the respondent/State and has filed the custody certificate of the petitioner in Court, which is taken on record. He vehemently opposes the prayer for grant of regular bail to the petitioner. He, upon instructions, submits that the petitioner is in custody for the last more than 01 year and 04 months and 08 days. He, upon instructions, submits that none out of 19 cited prosecution witnesses have been examined so far.

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

7. 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 year and 04 months and 08 days and that the trial is likely to take a long time to conclude as none out of 19 cited prosecution witnesses have 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.

8. 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.

9. 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.

12.05.2026

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(H.S.GREWAL)
JUDGE

Whether speaking/ reasoned :
Whether Reportable :

Yes/No
Yes/No