



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

213

1) CRM-M-29689-2025
Decided on : 13.05.2026

Gurwinder Singh . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

2) CRM-M-7550-2026

Vikas Batta . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Yashpal Thakur, Advocate and
Mr. Mohd. Hussain, Advocate,
for the petitioner(s) (in CRM-M-29689-2025).

Mr. Jaiveer Singh, Advocate
for the petitioner(s) (in CRM-M-7550-2026).

Mr. Vinay Malhotra, DAG, Punjab
assisted by ASI Mohan Singh.

SANJAY VASHISTH, J. (Oral)

1. This order shall dispose of CRM-M-29689-2025 and CRM-M-7550-2026, as all the petitions are interconnected and have arisen out of same FIR. However, the lead case is CRM-M-29689-2025.
2. The instant petitions have been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioners, during the pendency of trial, who have been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FI R No.	Date	Section(s)	Police Station	District
Gurwinder Singh in (petitioner in CRM-M-29689-2025)	26	08.03.2025	S. 22(b) of NDPS Act, 1985	Sirhind	Fatehgarh Sahib

Vikas Batta (petitioner in CRM-M-7550- 2026)	26	08.03.2025	S. 22(b) of NDPS Act, 1985 [S. 22(c) of NDPS Act, 317(2) of BNS, 2023 and S. 192 of MV Act, added later on]	Sirhind	Fatehgarh Sahib
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3. As per allegations, on 08.03.2025 at about 06:00 P.M., two motorcycles carrying four persons in total were intercepted by the police party. On enquiry, it was found that one motorcycle was being ridden by accused Simranjeet Singh @ Janta and Vicky Singh.

Second motorcycle was being ridden by Gurwinder Singh (petitioner in CRM-M-29689-2025) and Vikas Batta (petitioner in CRM-M-7550-2026). From both the motorcycles, recovery of 2400 Lomotil tablets in total, i.e. 1200 tablets from each motorcycle, was effected.

4. Learned counsel for the petitioners submit that neither of the present petitioners, namely Gurwinder Singh and Vikas Batta, has ever been found involved in any other similar activity in the past.

It is further submitted that both the petitioners are inside jail for the last more than 01 year, 02 months and 02 days and the trial is not likely to conclude in the near future.

Accordingly, without arguing much on the merits of the case, prayer has been made for grant of concession of regular bail to the petitioners.

5. On the other hand, learned State counsel has produced the custody certificate dated 12.05.2026 (in CRM-M-29689-2025) and status report dated 06.05.2026 (in CRM-M-7550-2026) in Court today, which are taken on record. Office is directed to tag the same at the appropriate place.

Copies thereof have been handed over to learned counsel for the petitioners.

6. Learned State counsel, while opposing the prayer for bail, submits that the quantity recovered in the present case falls within the commercial category under the NDPS Act.

However, learned State counsel does not dispute that the petitioners have remained inside jail for a period of 01 year, 02 months and 02 days as on 12.05.2026. He also does not dispute the fact that the petitioners are not found involved in any other similar activity in their past record.

7. I have heard learned counsel for the parties and perused the

relevant material available on record with their able assistance.

8. No doubt, from the motorcycle being used by the present petitioners, recovery of 1200 Lomotil tablets was effected. As per the FSL report, the recovered intoxicant tablets were found containing salt “Diphenoxylate Hydrochloride” and the average weight of each tablet has been reported as 63 milligrams. Thus, the total weight of 1200 tablets allegedly recovered from the present petitioners comes to 75.600 grams, which is marginally above the threshold of commercial quantity prescribed under the NDPS Act.

It is also a matter of record that the petitioners have remained inside jail for the last more than 01 year and 02 months. Out of the total cited 15 prosecution witnesses, only 02 witnesses have been examined and 02 witnesses have already been given up. Thus, the conclusion of trial is likely to take considerable time.

It is further noticeable that, as per the custody certificates, the petitioners are not shown to be involved in any other criminal activity, particularly under the NDPS Act. Both the petitioners are also of young age, i.e. 24 years (petitioner Gurwinder Singh) and 22 years (petitioner Vikas Batta).

9. Keeping in view the overall facts and circumstances of the case; period of custody already undergone; age and antecedents of the petitioners; slow pace of trial, and also without commenting upon the merits of the case, this Court is of the considered opinion that further incarceration of the petitioners would not serve any useful purpose.

Consequently, prayer made in the present petitions are **allowed**. Petitioners are ordered to be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

10. Needless to observe that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

11. Any of the discussion done and recorded here above, 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 independent view, on

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

12. It is further made clear that if, in future, petitioners are directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

13. **Petitions stand disposed of.**

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

Photocopy of this order be placed on the files of other connected cases.

**(SANJAY
VASHISTH)
JUDGE**

May 13, 2026

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No