



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

226

**CRM-M-27014-2026
Date of Decision: 18.05.2026**

SUKHWINDER SINGH ALIAS KAKA**... PETITIONER**

VERSUS

STATE OF PUNJAB**... RESPONDENT****CORAM : HON'BLE MR. JUSTICE H.S.GREWAL**

Present:- Mr. Sahil Gupta, Advocate for the petitioner.

H.S. Grewal, J.(Oral)

1. This petition has been filed under section 483 B.N.S.S. (earlier 439 Cr.P.C.) for grant of regular bail in case FIR No. 0028 dated 22.02.2026 under Sections 21,27-A, 29,61 and 85 of the NDPS Act registered at Police Station- Chattiwind, District Amritsar Rural.
2. The case of the prosecution is that on 22.02.2026, co-accused namely Nishan Singh was apprehended on the basis of suspicion when he allegedly attempted to throw a substance wrapped in a plastic envelope, which was kept in the right pocket of his lower. Upon checking thereof, 7 grams of heroin (non-commercial quantity) was recovered and from his personal search an amount of Rs.200/- was also recovered, which is alleged to be drug money. During investigation, disclosure statement of the co-accused was recorded, wherein it was disclosed that the heroin recovered from his possession was purchased by him from the petitioner.



3. Learned counsel for the petitioner submits that the petitioner has been nominated solely on the basis of the disclosure statement of co-accused, which is not admissible in evidence against him. He further submits that nothing has been recovered from the possession of the petitioner. He further submits that co-accused has already been granted concession of regular bail by this Court. It is further submitted that the petitioner is in custody since 23.02.2026 and prays for grant of regular bail.

4. Notice of motion.

5. Mr. Sandeep Kumar, DAG, Punjab, accepts notice on behalf of the respondent–State and has vehemently opposed the prayer for grant of regular bail on the ground that the allegations against the petitioner are serious in nature. He has filed the custody certificate of the petitioner in Court today, which is taken on record. As per the custody certificate, the petitioner has been in custody for the last 02 months and 23 days, he is involved in other case under NDPS Act but has already been released on bail in that case.

6. I have heard the submissions made by the parties and gone through the record.

7. After hearing the rival contentions and considering the fact that in the case in hand, the petitioner is in custody for the last 02 months and 23 days; although the petitioner is involved in another case under the NDPS but he has been released on bail in that case; apart from the disclosure statement, there is no other substantive evidence to connect the petitioner with the recovery effected from the co-accused and coupled with the fact that the trial is likely to take considerable time, this Court is of the view that no useful purpose



would be served by further incarceration of the petitioner. Accordingly, the petitioner is granted the concession of regular bail during the pendency of the trial.

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

9. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

10. It is clarified that if while on bail so granted through the instant order, the petitioner is found indulged in any other criminal case/activity, it shall be open to the State to seek cancellation of his bail.

18.05.2026
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(H.S.GREWAL)
JUDGE

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