



**In the High Court for the States of Punjab and Haryana at
Chandigarh**

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CRM-M-30082-2026 (O&M)
Date of Decision:- 29.05.2026

Kuldeep Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Anmol Puri, Advocate for the petitioner.

Ms. Navreet Kaur, AAG, Punjab.

SUBHAS MEHLA, J. (Oral)

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (for short - 'the BNSS') by the petitioner seeking regular bail in case bearing FIR No.7 dated 16.01.2026 (Annexure P-1), under Sections 21-B, 27-A and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short - 'the NDPS') registered at Police Station Khem Karan, District Tarn Taran.

2. Briefly stated, upon receipt of secret information, co-accused Jashanpreet Singh @ Jashan and Dalwinder Singh @ Jarnal were apprehended by the police and recovery of 8 grams of heroin and 7 grams of heroin was effected from them respectively. The petitioner was nominated as an accused vide rapat No.23 dated 21.01.2026 on the basis of disclosure statement of aforementioned co-accused as the supplier of recovered contraband.



3. Learned counsel for the petitioner prayed for concession of bail on the following grounds:

- i. Petitioner has been falsely implicated in the present case solely on the basis of disclosure statement of co-accused;
- ii. Except the disclosure statement, which is inadmissible in evidence, there is no other material on record to connect the petitioner with the alleged commission of offence;
- iii. No recovery has been effected from the petitioner;
- iv. The alleged recovery made from the co-accused falls under ambit of intermediate quantity;
- v. The petitioner has been in custody for more than 4 months; and
- vi. Trial will take sufficient time to conclude.

4. Custody certificate of the petitioner filed by learned State counsel today in Court, is taken on record.

5. Learned State Counsel opposed the present petition on the following grounds:

- i. Petitioner has been nominated as the supplier of the contraband recovered from the co-accused, who were apprehended by the police;
- ii. The alleged contraband falls under intermediate quantity; and
- iii. The petitioner is a habitual offender and has a history of four more cases registered under NDPS Act qua him.

6. Heard.



7. Keeping in view the submissions of learned counsel for the parties, facts and circumstances of the case, this Court finds merits in the present petition on the following grounds:

- i. The petitioner has been in custody for more than 4 months;
- ii. Except the disclosure statement, which is inadmissible in evidence, there is no other material on record to connect the petitioner with the alleged commission of offence;
- iii. No recovery has been effected from the petitioner; and
- iv. The trial is likely to take considerable time to conclude, and no fruitful purpose would be served by keeping him in custody for any further period.

8. The concession of bail cannot be denied just as a measure of punishment, as it is a trite principle of criminal jurisprudence that bail is a rule and jail is an exception. Unnecessary incarceration strikes at the very root of Article 21 of the Constitution of India which guarantees the fundamental right to life and personal liberty. Deprivation thereof cannot be permitted such that under-trial custody assumes the character of punishment before the conclusion of trial, except when such custody becomes necessary to secure presence of accused during trial or for other compelling reasons.

9. Hence, in view of aforesaid discussion, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

10. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released



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on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

29.05.2026
Geeta

(SUBHAS MEHLA)
JUDGE

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