



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

CRM-M-33455-2025 (O&M)

Reserved on : 10.02.2026

Pronounced on : 18.02.2026

Sukhwinder Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Argued by : Mr. L.S. Sekhon, Advocate for the petitioner.

Mr. Rohit Bansal, Sr. DAG Punjab.

SURYA PARTAP SINGH, J.

This is third petition for bail filed by the petitioner with regard to a case arising out of FIR No.257 dated 13.10.2022 under Sections 21-C and 25 of Narcotic Drugs and Psychotropic Substances Act, hereinafter being referred to as 'NDPS Act' only (Section 25 of NDPS Act deleted later on), Police Station Special Task Force, District SAS Nagar (Mohali).

2. The abovementioned FIR came into being at the instance of 'SI Vinod Sharma', who had reported that when he was leading a team of police officials, deputed for patrolling duty, on the basis of a tip-off given by a reliable source a white colour 'Volkswagen Polo' car, bearing registration No.PB10-DF-9613, was intercepted and petitioner was arrested and from his possession, 1 kg of Heroin was recovered.



3. It is the case of the prosecution that on recovery of abovementioned contraband, necessary formalities with regard to seizure & sealing of contraband, lodging of FIR, and formal arrest of the accused were performed, and further investigation taken up.

4. Arguments addressed on behalf of all the parties have been heard.

5. It has been contended on behalf of petitioner that the petitioner has been falsely implicated in the present case, and that he has already suffered prolonged incarceration for being in custody for a period of approximately three years and four months. According to learned counsel for the petitioner, although this is third petition for bail, filed by the petitioner, yet the same is maintainable in view of the fact that the total period of custody undergone by the petitioner is quite long, which amounts to infringement of his right of personal liberty and a speedy trial.

6. In addition to above, it has also been contended by learned counsel for the petitioner that the second petition for bail moved by the petitioner was dismissed on 14.11.2025 and from the date of dismissal of second bail petition, no significant progress in trial has taken place.

7. The learned State Counsel has controverted the abovementioned arguments. It has been contended by learned State Counsel that in the present case, one of the significant factors to be taken into consideration is that, that the trial is taking place at a reasonable pace and



out of thirteen prosecution witnesses eight have already been examined and only five witnesses are left unexamined.

8. According to learned State Counsel otherwise also the petitioner does not have clean antecedents, as he is facing prosecution in another case under NDPS Act, and in the abovementioned case, he was declared a proclaimed offender. As per learned State Counsel once the petitioner is a person, who has been declared a proclaimed offender, and faced a trial for the commission of offence punishable under Section 174-A of IPC, he is not entitled for the benefit of bail.

9. The record has been perused carefully.

10. A perusal of record shows that in the present case, *firstly* most of the witnesses, as per list of witnesses, have already been examined, and thus, the trial is entering into its final stage; *secondly*, from the date of dismissal of second bail petition, no significant change in circumstances has taken place and *thirdly*, the petitioner does not have a clean antecedents. In addition to above, the filing of FIR against the petitioner under Section 174-A of IPC shows that at one point of time, he was even declared a proclaimed offender.

11. Taking into consideration the cumulative effect of all the abovementioned factors, it is hereby held that no fresh ground for maintaining the instant petition, which is third petition for bail, is made out and the present petition for bail being devoid of merit deserves dismissal. The same is hereby ***dismissed***, accordingly.



12. However, it is clarified that the abovementioned observations shall not have any bearing upon the merits of the case.

13. Pending miscellaneous application(s), if any, also stand(s) disposed of, accordingly.

(SURYA PARTAP SINGH)
JUDGE

18.02.2026

Gaurav Thakur

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