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

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Date of decision : 06.04.2026

**KULWANT SINGH**

... PETITIONER

Versus

**STATE OF PUNJAB**

.. RESPONDENT

**CORAM : HON'BLE MR. JUSTICE H.S.GREWAL**

Present:- Mr. Piyush Sharma, Advocate for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

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**H.S. Grewal, J.(Oral)**

1. This petition has been filed by the petitioner under Section 483 BNSS, 2023 seeking regular bail in case FIR No.1 dated 01.01.2025, under Section 21 of the NDPS Act, (Section 29 of the NDPS Act added later on), registered at Police Station Sadar Ferozepur, District Ferozepur.

2. The case of the prosecution is that on the basis of a secret information, co-accused Harbans Singh was apprehended and 265 grams of heroin (commercial quantity) was recovered from his possession. During the course of investigation, Harbans Singh suffered a disclosure statement stating that he had purchased the contraband from Chan Singh @ Channi and Arjan Singh @ Ajju. Co-accused Harbans Singh further disclosed that his friend, Kulwant Singh (the present petitioner), who is confined in Central Jail, Faridkot, used to send customers to him for the purchase of heroin.



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3. Learned counsel for the petitioner, however, submits that the petitioner was not named in the FIR and was arraigned as an accused on the basis of disclosure statement of co-accused. Besides the disclosure statement, there is no incriminating material which would connect him with the alleged offence and the prosecution is also unable to show as to how the petitioner, who was confined in jail, was operating the network for any drug peddling when no mobile phone has been recovered from him. He also submits that the petitioner is in custody for the last more than 01 year, 02 month and 26 days. He, therefore, prays for release of the petitioner on regular bail as the trial is likely to take a long time as none of the prosecution witness has been examined so far.

4. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner. He has filed the custody certificate in Court, which is taken on record. As per the custody certificate, the petitioner is in custody for the last more than 01 year, 02 month and 26 days. He, upon instructions, submits that although charges have been framed but none of the prosecution witness has been examined so far.

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

6. 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, 02 month and 26 days, although he is involved in other cases under the NDPS Act but in the present case, there is no incriminating material showing the involvement of the petitioner who was already confined in jail, in



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operating the drug peddling network especially when no mobile phone has been recovered from him and further the fact that the trial is likely to take a long time because none of the prosecution witness, who are official witness, has 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.

7. 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.

8. 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.

April 06, 2026  
Sonia

(H.S.GREWAL)  
JUDGE

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