



CRM-M-44057-2025

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

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CRM-M-44057-2025
Date of decision : 07.04.2026

SURJIT SINGH ALIAS SOMA

... PETITIONER

Versus

STATE OF PUNJAB

.. RESPONDENT

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

Present:- Mr. Amrit Paul Nahar, Advocate for the petitioner.

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

H.S. Grewal, J.(Oral)

1. This petition has been filed by the petitioner under Section 483 BNSS, 2023 (corresponding Section 439 Cr.P.C.) for grant of regular bail in case FIR No.163 dated 16.07.2022, under Sections 22 & 61 of the NDPS Act (Section 29 of the NDPS Act added later on), registered at Police Station Tanda, District Hoshiarpur.

2. The case of the prosecution is that on the basis of a secret information, the petitioner was apprehended and a recovery of 176 grams of intoxicant powder containing 'Alprazolam' was allegedly effected from his possession.

3. Learned counsel appearing for the petitioner, first of all, has filed his Vakalatnama on behalf of the petitioner in Court, which is taken on record.

He submits that the petitioner has been falsely implicated in this case and there

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is non-compliance of mandatory provisions of the NDPS Act. It is submitted that the alleged secret information was neither reduced into writing nor forwarded to the immediate superior officer, as required under the law. Learned counsel further submits that although the alleged recovery was shown to be effected from a public place but no independent witness was joined during investigation. He also submits that the petitioner is in custody for the last more than 01 year, 08 months and 05 days. Although the petitioner is involved two more cases under the NDPS Act but the same pertained to the year 2010 & 2013. He, therefore, prays for release of the petitioner on regular bail as the trial is likely to take a long time as out of total 09 cited prosecution witnesses, 02 have been given up and only 02 have 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, 08 months and 05 days. He, upon instructions, submits that out of total 09 cited prosecution witnesses, 02 have been given up and only 02 have 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, 08 months and 05 days and that the trial is likely to take a long time as out of total 09 cited prosecution witnesses, only 02 have been examined so far and the remaining 05 prosecution witnesses, who are official witnesses,



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are not stepping into the witness box before the trial Court to depose against the petitioner, 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 07, 2026
Sonia

(H.S.GREWAL)
JUDGE

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