



CRM-M-49022-2024 and 1
CRM-M-971-2025
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

109(2) CRM-M-49022-2024
DATE OF DECISION: 17.02.2026

Navdeep Singh @ ChathaPetitioner

VERSUS

State of PunjabRespondent

109 CRM-M-971-2025

Rakesh Kumar @ KakuPetitioner

Versus

State of Punjab ...Respondent

CORAM HON’BLE MR. JUSTICE SUBHAS MEHLA

Present Mr.Pradeep Virk, Sr. Advocate,
with Mr. Sukhveer S. Khilliwali, Advocate,
for the petitioner in CRM-M-49022-2024.

Mr. Ashish Pundir, Advocate,
for Mr. Aajeshwar Singh Grewal, Advocate,
for the petitioner in CRM-M-971-2025.

Mr.Surinderjit Singh Nahar, AAG, Punjab.

SUBHAS MEHLA, J (ORAL)

1. Since both these petitions praying for grant of regular bail to the petitioners arise from same FIR, therefore, they are being decided by common order.
2. By way of present petitions, the petitioners are seeking regular bail in case FIR No.116 dated 22.06.2023, under Sections 21C/61/85 of NDPS Act, 1985 (lateron added Section 29 of NDPS Act, 1985 and Section 25 of Arms Act, 1959), registered at Police Station Talwandi Sabo, District Bathinda, Punjab.



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3. Learned senior counsel for the petitioner Navdeep Singh @ Chatha contended that petitioner was nominated in this case on the basis of disclosure statement of co-accused; other co-accused have already been granted bail in this matter vide orders dated 21.11.2023, 20.01.2024, 05.02.2024 and 25.08.2023, (Annexures P-5 to P-8), passed by learned Additional Sessions Judge, Bathinda; present petitioner is in custody for approximately one year and eleven months; out of 42 witnesses, only one witness has been examined so far; regarding the antecedents of the present petitioner, on the previous date of hearing an additional affidavit was filed in which the facts mentioned are not true which is to show him as a history sheeter and today a fresh Status Report by way of affidavit of Harpreet Singh, PPS, Deputy Superintendent of Police, Sub Division Talwandi Sabo, District Bathinda has been filed indicating that in few cases he is under trial and are pending, but he is on bail in these cases and prayed for grant of regular bail to the petitioner Navdeep Singh @ Chatha.

4. On behalf of petitioner Rakesh Kumar @ Kaku, it is submitted that the present petitioner was nominated in this case on the basis of disclosure statement of co-accused Sukhdev Singh that he (Sukhdev Singh) used to make connection with Rakesh @ Kaku, who used to provide Heroin and that contraband recovered from Gurpreet Singh @ Pita and Jagdeep Singh @ Jaggu was also provided by Rakesh @ Kaku; that co-accused from whose possession contraband was recovered, who nominated co-accused Sukhdev Singh, have already been released on bail vide order dated 20.01.2024 (Annexure P-3), order dated 21.11.2023 (Annexure P-4) and order dated 05.02.2024 (Annexure P-5), passed by learned Additional



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two years and five months; the trial is proceeding at a snail's pace and will take time to conclude and the present petitioner Rakesh Kumar @ Kaku is on bail in other cases and prayed for grant of concession of bail to the petitioner Rakesh Kumar @ Kaku.

5. On the other hand, learned State counsel filed the custody certificates of both the petitioners along with Additional Status Report in both petitions, same are taken on record. Learned State counsel opposed the bail petitions on the ground that present petitioners are master mind and habitual offenders, petitioner Navdeep Singh @ Chatha is involved in supply of illegal firearms; petitioner Rakesh Kumar @ Kaku is involved in supply of narcotic substances and having several cases.

6. Heard.

7. Keeping in view the facts and circumstances of the case and the custody period of the present petitioners that petitioner Navdeep Singh @ Chatha is in custody for the last one year and eleven months whereas petitioner Rakesh Kumar @ Kaku is in custody for the last more than two years and five months; other co-accused are released on bail vide different orders passed by learned Additional Sessions Judge, Bathinda, out of 42 witnesses only one witness has been examined; remaining witnesses are police officials and there is no apprehension that after release, petitioners will tamper with the prosecution evidence as concession of bail cannot be denied just as measure of punishment as culpability of the accused will be decided at the final stage by the trial Court after appreciating the evidences adduced by both sides and it is trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the

concession of regular bail to the petitioners.



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8. Therefore, without expressing any opinion on the merits of the case, both the petitions are allowed. The petitioner in both the petitions are ordered to be released on regular bail on their furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. Nothing observed hereinabove shall be construed to be an expression of an opinion by this Court on merits of the case. The learned Court below is directed to proceed with the matter on its own merits, lest it may prejudice the trial.

10. A photocopy of the order be placed on the file of connected petition.

17.02.2026	(SUBHAS MEHLA)
mamta	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No