



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-51427-2025
Decided on : 25.03.2026

Prem Singh . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Vivek K. Thakur, Advocate
for the petitioner(s).

Mr. Vimal Malhotra, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Prem Singh	225	19.12.2024	21 of NDPS Act, 1985 [S. 29 of NDPS Act, added later on]	Division No.8	District Police Commissionerate, Jalandhar

2. As per the case of the prosecution, on 19.12.2024, initially, on suspicion, one accused Karan @ Kanna was apprehended by the police team and from a polythene bag thrown by him, 100 grams of heroin was recovered. After his arrest, he made two separate disclosure statements on different occasions. In the first disclosure statement, he named accused (ii) Rohit @ Vicky, (iii) Sagar, and (iv) Shaily. Upon arrest of accused Rohit @ Vicky, 700 grams of heroin was recovered from his possession.

In the second disclosure statement dated 21.12.2024, the



arrested accused Karan @ Kanna named the present petitioner – Prem Singh, and upon his arrest, 150 grams of heroin was allegedly recovered from his possession.

3. Learned counsel for the petitioner submits that petitioner is inside the jail for the last about 01 year and 03 months. It is further submitted that the recovered quantity of heroin falls within the non-commercial category and is much below the threshold prescribed under the NDPS Act. It is also contended that the trial is progressing at a slow pace. Therefore, petitioner deserves the concession of regular bail.

4. On the other hand, learned State counsel has filed the custody certificate dated 24.03.2026 in Court today, which is taken on record. The office is directed to tag the same at the appropriate place. A copy thereof has been supplied to learned counsel for the petitioner.

5. Learned State counsel, while vehemently opposing the prayer for bail, submits that keeping in view the nature of allegations and the gravity of the offence, petitioner does not deserve any concession of regular bail. It is further submitted that the petitioner is also involved in two other cases under the NDPS Act, which reflects his antecedents.

In response, learned counsel for the petitioner submits that in one of the said cases, the recovery is only 20 grams of heroin and petitioner has already been granted bail therein. In the other case, the petitioner has been named only on the basis of disclosure statement and no recovery has been effected from his possession. Thus, it is contended that mere involvement in other cases cannot be a ground to deny bail in the present case, particularly when the quantity involved herein is non-commercial.



6. I have considered the rival submissions made by learned counsel for the parties and have perused the material available on record.

7. Undoubtedly, petitioner is inside the jail since 21.12.2024, i.e., for about 01 year and 03 months. It is further a matter of record that out of total 27 prosecution witnesses, only 07 witnesses have been examined so far, which indicates that the trial is progressing at a slow pace.

It is also not disputed that the recovery attributed to the petitioner is 150 grams of heroin, which falls within the non-commercial category and is below the threshold of commercial quantity under the NDPS Act.

8. In view of the aforesaid facts and circumstances and without commenting upon the merits of the case, this Court does not find any substantial reason to continue with the detention of the petitioner inside the jail.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. Any of the discussion done and recorded here-above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in



accordance with law.

11. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

12. Petition stands **disposed of**.

Misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

March 25, 2026
J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*