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

**CRM-M-55827-2025
Date of Decision: 21.01.2026**

Ashneek Singh @ Ashu

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present : Mr. K. S. Brar, Advocate
for the petitioner.

Mr. Surinderjit Singh Nahar, AAG, Punjab.

SUBHAS MEHLA, J. (Oral)

1. By way of the present petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner is seeking regular bail in case bearing FIR No.0164 dated 07.07.2025 registered under Section 21(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Sections 29, 61, 85 and 27-A of NDPS Act added later on) at Police Station City Kotkapura, District Faridkot.

2. Learned counsel for the petitioner contended that the alleged recovered contraband recovered from the motorcycle is 28.50 grams, which falls under the ambit of intermediate quantity. Furthermore, the co-accused namely Gurwinder Singh @ Kalu has already been granted the concession of regular bail by this Court vide order dated 12.01.2026 in CRM-M-62730-2025. It is further contended that the petitioner is in custody since 07.07.2025 i.e. for more than 06 months and the trial is likely to take

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sufficient time to conclude and there is no apprehension that if the petitioner is released on bail, he will tamper with the prosecution evidence and no useful purpose would be served by keeping the petitioner behind the bars. As such, learned counsel prayed for grant of regular bail to the petitioner.

3. On the other hand, learned State counsel submitted that the petitioner along with co-accused was apprehended and 28.50 grams of heroin was recovered from their possession, which is for sale purpose and drug money of Rs.5,000/- was also recovered from the motorcycle. Furthermore, it is contended that the petitioner is also involved in one other case of similar nature and if the petitioner is released on bail, he will certainly indulge in similar activity, therefore, the petitioner is not entitled for concession of regular bail.

4. Heard.

5. Keeping in view the facts and circumstances of the present case and the fact that recovery from the present petitioner is 28.50 grams of heroin, which falls under the ambit of intermediate quantity; co-accused namely Gurwinder Singh @ Kalu has already been granted bail by this Court vide order dated 12.01.2026; the petitioner is in custody since 07.07.2025 i.e. for more than 06 months; there is no apprehension that after his release, he will tamper with the prosecution evidence; trial will take sufficient time to conclude and no fruitful purpose would be served by keeping the petitioner in custody for any further period, as concession of bail cannot be denied just as a measure of punishment as culpability of accused is to be decided after appreciating evidence adduced by both parties and it is a 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



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bail to the petitioner.

6. 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 bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned with a condition that if petitioner is found indulge in any case under the NDPS Act after his release in this case, then the prosecution will be at liberty to move an application before the trial Court for cancellation of the bail.

21.01.2026
Himani

(SUBHAS MEHLA)
JUDGE

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