



115

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

CRM-M-57357-2025 (O&M)

Date of decision: 13.01.2026

KHUSHPREET SINGH ALIAS GOLU

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

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

Mr. Sandeep Kumar, DAG, Punjab.

SUBHAS MEHLA, J. (ORAL)

CRM-38-2026

This application has been filed under Section 528 BNSS, 2023 seeking preponement of the main case from 11.02.2026 to an earlier date.

Learned counsel for the applicant contends that on the last four dates, the case of the petitioner could not be taken up due to the heavy Roster and, therefore, the matter was listed for 11.02.2026.

Heard.

For the reasons mentioned in the application as well as the submissions made by learned counsel for the applicant, the present application is allowed. Accordingly, the main case is preponed from 11.02.2026 to today itself.

CRM-M-57357-2025

1. By way of the present petition, the petitioner is seeking regular bail in case FIR No.0159 dated 30.06.2025 (Annexure P-1) registered



under Sections 21(b) and 27-A of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') at Police Station City Kotkapura, District Faridkot.

2. Brief facts of the case are that while on patrolling duty, the police party stopped a car near the backside of Bathinda Road at about 08:10 p.m. on suspicion. On inquiry, the driver disclosed his name as Khushpreet Singh @ Golu (petitioner), while the co-accused sitting on the conductor side disclosed his name as Vishal Kumar @ Shalu. Upon search, the police allegedly recovered a polythene bag containing 50 grams of heroin along with drug money of Rs.80,000/-. On the basis of these allegations, the present FIR was registered.

3. Learned counsel for the petitioner contended that petitioner has been falsely implicated in the present case. Learned counsel further submitted that the alleged recovery from the petitioner falls within the category of intermediate quantity; petitioner is in custody since for the last more than six months; the petitioner is involved in two other cases, however, in the said cases, he has been released on bail; co-accused, namely Vishal Kumar @ Shalu has already been granted bail by this Court vide order dated 26.11.2025 passed in CRM-M-62493-2025 and role of the petitioner is on same footing as that of co-accused; investigation has already been completed; trial of the case will take sufficient time to conclude and no fruitful purpose would be served by keeping the petitioner behind the bars. As such, the petitioner deserves to be granted the concession of regular bail.



4. Learned State counsel appeared on advance notice produced the custody certificate of the petitioner, which is taken on record. Learned State counsel vehemently opposed the prayer for grant of regular bail to the petitioner by submitting that recoveries of contraband and drug money have been effected in the present case. It is further contended that 50 grams of heroin along with drug money of Rs.80,000/- was recovered from the petitioner. It is also contended that the petitioner is involved in two other cases, however, it is not disputed that he is on bail in the said two cases and the alleged recovery falls within the category of intermediate quantity. Learned State counsel further submits that the petitioner does not deserve the concession of regular bail and prays for dismissal of the present petition.

5. Heard.

6. Keeping in view the facts and circumstances of the present case and the fact that petitioner is in custody for the last more than six months; the recovery is of intermediate quantity, and the co-accused has already been granted bail by this Court vide order dated 26.11.2025 passed in CRM-M-62493-2025, trial of the case will take sufficient time to conclude and no fruitful purpose would be served by keeping him 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 bail to the petitioner.



7. Therefore, without expressing any opinion on the merits of the case, the 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.

January 13, 2026
Kusum

(SUBHAS MEHLA)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No