

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

2026.PHHC.021097



CRM-M-61475-2025 (O&M)

Date of Decision: 11.02.2026

**NAVANJOT SINGH @ NAMNA @ NAMANJOT SINGH
... PETITIONER**

VERSUS

STATE OF PUNJAB ... RESPONDENT

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

Present:- Mr. Armaan Gagneja, Advocate
for the petitioner.

Mr. Parneet Singh Pandher, A.A.G., Punjab.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) in FIR No.67 dated 24.09.2023, under Sections 22(C)/61/27/85 of Narcotic Drugs and Psychotropic Substances Act, registered at Police Station Lakhewali, District Sri Muktsar Sahib.

2. The case of the prosecution is that the Investigating Officer, along with other police officials, was on routine patrol duty in search of miscreants and had set up a barricade near Village Gandhar. Upon noticing the police party, the petitioner allegedly attempted to escape after throwing away a plastic "lifafa" (bag) that he was carrying. On the basis of suspicion, he was apprehended. Upon checking the said plastic lifafa, 5 strips (each strip containing 10 tablets, total 50 tablets) of Etizolam tablets I.P.0.5 mg EZOLENT 0.25 were recovered.

3. Learned counsel for the petitioner submits that the petitioner

has been falsely implicated in the present case and the alleged recovery has been falsely planted upon him. It is further submitted that the Investigating Agency has failed to comply with the mandatory provisions of the NDPS Act. The petitioner is in custody since 24.09.2023.

4. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations. Learned State counsel 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 02 years, 04 months and 04 days and the petitioner is involved in one more case under NDPS Act. Learned State counsel further submits that out of total 16 prosecution witnesses, only 3 prosecution witnesses have been examined and 4 have been given up and 9 are yet to be examined.

5. I have heard the learned counsel for the parties and perused the record.

6. This Court has noticed that despite service, the police officials are not appearing as witnesses deliberately, in the cases registered under the provisions of NDPS Act. In fact, it is matter of grave concern for all the Courts. Apart from that, it not only amounts to interference in the administration of justice, but is also violative of right of accused under Article 21 of the Constitution of India. Even, this intentional absence of official witnesses helps the accused in claiming that they had been incarcerated for a longer period and such a plea serves as an additional plea in favour of the petitioners to secure his bail.

7. Keeping in view the long incarceration of the petitioner; the petitioner is in custody for the last 02 years, 04 months and 04 days; out of total 16 prosecution witnesses, only 3 prosecution witnesses have been

examined; the trial is moving at a snail’s pace, the continuous detention of the petitioner would not serve the ends of justice. Therefore, this Court deems it a fit case to grant the concession of regular bail to the petitioners during the pendency of the trial.

8. Hence, 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 trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. Pending application(s), if any, shall also stand disposed of.

10. It is clarified that if on bail so granted through the instant order the petitioner is found indulging in any other criminal case, it shall be open to the State to seek cancellation of his bail.

11.02.2026
Janki

(H.S.GREWAL)
JUDGE

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