



CRM-M-62342-2025

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

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CRM-M-62342-2025

Date of Decision: 15.01.2026

Vakeel Singh

... Petitioner

VERSUS

State of Punjab

... Respondents

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

Present: Mr. Ruhani Chadha, Advocate
for the petitioner.

Mr. P. S. Pandher, AAG., Punjab.

H.S. GREWAL, J. (ORAL)

1. This petition has been filed under Section 483 Bharatiya Nagrik Suraksha Samita, 2023 seeking regular bail for the petitioner in case FIR No.116 dated 20.11.2024 under Sections 21-C and 29 of NDPS Act, 1985 registered at Police Station Sadar Jalalabad, District Fazilka.

2. The case of the prosecution is that one Gurpreet Singh and Manjit Singh were apprehended and 500 grams of heroin was recovered from their possession on 20.11.2024. Thereafter on the disclosure statement of Gurpreet Singh, a further recovery of 235 grams of heroin was effected from them on 22.11.2024. Thereafter both the co-accused named the present petitioner as well as Gurmeet Singh @ Guri.

3. Learned counsel for the petitioner submits that no contraband has been recovered from the present petitioner. At the time of the disclosure statement and the registration of the FIR, the present petitioner was already confined in Complaint No.59 dated 09.09.2022 under Sections 8, 21,23, 25 and 27 of the NDPS Act at Police Station NCB, Amritsar and was brought on production warrants in the present case from Central Jail, Faridkot on 29.04.2025 and apart from the disclosure statement there is no other evidence to connect him to the alleged recovery. He further submits that the petitioner is not involved in any other case. Moreover, the petitioner has already undergone a custody of more than 08 months and 15 days. It is also stated that the trial is yet to commence.

4. Notice of motion.

5. Mr. Mr. P. S. Pandher, AAG., Punjab. accepts notice on behalf of the state. Status report by way of an affidavit of Gursewak Singh, PPS, Deputy Superintendent of Police, Sub Division, Jalalabad on behalf of the respondent has been filed in Court. The same is taken on record. Learned counsel for the State vehemently opposes the petition for grant of bail on the ground that there is an active role of the petitioner in the commission of the offence in question. Hence, he prays for dismissal of the present petition. Custody certificate filed by the State Counsel is taken on record. As per the said certificate, the petitioner has already undergone a period of 08 months and 15 days.

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

7. Keeping in view the facts and circumstances of the case and taking into consideration that the petitioner is in custody for the last 08 months and 15 days and the trial against the petitioner will take a long time to conclude, this Court is of the opinion that the petitioner deserves the concession of regular bail. Moreover, bail is rule and jail is exception. Since the continuous incarceration of the petitioner would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial.

8. 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 bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

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

10. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

(H.S. GREWAL)
JUDGE

JANUARY 15, 2026.
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No