

2026:PHHC:024520



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

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CRM-M-63993-2025
Date of decision: 17.02.2026

MALKEET SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. K.B. Raheja, Advocate
for the petitioner.

Mr. Mohit Kapoor, Senior DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

1. The instant petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail in case bearing FIR No. 144 dated 29.05.2025, registered under Section(s) 21/61/85 of NDPS Act, 1985 at Police Station ANTF, Ferozepur Range, District Ferozepur.

2. The FIR in the present case was registered on the basis of secret information to the effect that the petitioner alongwith his co-accused-Satnam Singh @ Gurnam Namu son of Gurbachan Singh are involved in the Narcotic trade and that they were coming on their Motorcycle C.D.Delux, colour black No. PB-65-AT-3117 from Basti Vallu Singh, Bahadur Ke to Pindi Wali side G.T. Road. Satnam Singh was stated to be wearing a white

T-shirt and brown colour Kapri and he had a brown colour cross kit on his neck. It was informed that if a barricading was done on the link road, they could be nabbed and contraband could be duly recovered from them. On receipt of the said information, intimation was sent to the Police Station for registration of the FIR while the police officials, who reached the spot, set up a Nakabandi. The Police officials noticed that the motorcycle had stopped after the barricading and that the driver of the motorcycle was wearing white T-shirt and brown colour Kapri as mentioned above and another person, who had been sitting on the rear seat of the motorcycle, wore a cheque shirt of green colour and trouser of Camel colour. Recovery of 508 grams of Heroin was effected from the cross-kit worn by Driver Satnam Singh @ Gurnam Namu above his chest, hence, both the petitioner and co-accused were arrested as per the rules.

3. Learned Counsel appearing on behalf of the petitioner contends that the petitioner has clean antecedents and is not involved in any illegal activity. He contends that the alleged contraband was concealed in the clothes being worn by Satnam Singh @ Gurnam Namu. It is contended that no link has been established between the petitioner and the said co-accused, hence, the petitioner cannot be held to be in conscious possession of the contraband. It is argued that the petitioner has three minor children and aged parents and that he is also suffering from numerous ailments including Heart disease and tuberculosis, for which he is taking regular medication from the Medical College & Hospital, Faridkot. He further contends that the petitioner is in custody since 29.05.2025 and investigation in the case is complete. The charge sheet was filed on 12.11.2025 but charge has not been framed so far. The conclusion of trial shall thus take a long time.

4. Learned State Counsel has filed a Short reply by way of an affidavit of Sh. Varun Sharma, Superintendent, Central Jail, Ferozepur in the Court today and the same is taken on record. He contends that the petitioner was named in the secret information as being involved in the drug trade. He, however, does not dispute that the petitioner is suffering from various medical ailments and has clean antecedents. It is also not disputed that the petitioner is still undergoing treatment.

5. I have heard learned counsel appearing on behalf of the respective parties and taking into consideration the period of actual custody undergone by the petitioner, his clean antecedents, his medical condition, the stage of the proceedings before the trial Court as also arguable issues with respect to the petitioner being in conscious possession of the contraband as a pillion rider, I deem it appropriate to enlarge the petitioner on regular bail to the satisfaction of the trial Court.

6. The instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

7. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

8. The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

9. Since the main case has been allowed, hence, the application bearing CRM-45490-2025 for seeking concession of interim bail has been rendered infructuous.

FEBRUARY 17, 2026

Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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