



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

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CRM-M-64535-2025
Date of Decision: 20.03.2026

JOBAN KUMAR

... Petitioner

VERSUS

STATE OF PUNJAB

... Respondent

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

Present: Mr. Kulwinder Singh Dhillon, Advocate
for the petitioner (*through video conference*).

Mr. Rishabh Singla, AAG, Punjab.

H.S. GREWAL, J. (ORAL)

This petition has been filed under Section 483 Bharatiya Nagrik Suraksha Sanhita, 2023 seeking regular bail for the petitioner in case FIR No.55 dated 26.06.2024 under Sections 21, 25, 27A and 29 of the NDPS Act, 1985 registered at Police Station Raja Sansi, District Amritsar.

2. The case of the prosecution is that 300 grams of heroin and an amount of Rs.30,000/- (stated to be the drug money) were recovered from the house of the petitioner and as such he was booked in the present case.

3. Learned Counsel for the petitioner contends that the allegations against the petitioner are false and concocted and the petitioner has not committed any crime. It is further submitted that the petitioner is in custody for the last 01 year 08 months and 18 days. He further submits that the petitioner is not involved in any other criminal case. He further contends that the charges were framed against the petitioner on 22.08.2025 and almost all the witnesses are official witnesses but not even a single witness has been examined till date. As such, the trial will take a long time to conclude. He thus prays that the petitioner be granted the concession of regular bail.

4. Learned State Counsel vehemently opposes the petition for grant of bail on the ground that the allegations and role attributed to the petitioner in the commission of the alleged offence are very serious in nature and the petitioner has actively participated in the alleged offence. The petitioner does not deserve the concession of bail. Hence, he prays for dismissal of the present petition. Custody certificate produced by the State Counsel is taken on record.

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

6. Keeping in view the facts and circumstances of the case and taking into consideration the fact that the petitioner is in custody for the last 01 year, 08 months and 18 days coupled with the fact that the trial of the case is likely take a long time to conclude as none of the witnesses has been examined so far despite being the fact that most of the witnesses are official witnesses, this Court is of the opinion that the petition in hand deserves to be allowed. Moreover, bail is rule and jail is exception. Since the continuous incarceration of the petitioner would not serve the ends of justice, therefore, he is entitled to regular bail during the pendency of the trial.

7. 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.

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

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

MARCH 20, 2026.

Rajender

(H.S. GREWAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No