

2026:PHHC:004800



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

250

CRM-M-65139-2025
Date of Decision: 15.01.2026

BOHAR SINGH

... Petitioner

VERSUS

STATE OF PUNJAB

... Respondent

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

Present: Mr. Anoop Singla, Advocate
for the petitioner.

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.045 dated 14.03.2023 under Sections 22 and 21 of the NDPS Act, 1985 registered at Police Station Dharamkot, District Moga.

2. The case of the prosecution is that the petitioner was found in conscious possession of 20 grams of etizolam and 5 grams of Heroin, for which he has been arrested in the present case.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case by way of misuse of process of law. All allegations against the petitioner are false and baseless. He further submits that the petitioner is neither involved in any other case under NDPS Act nor in any other criminal case. Moreover, the petitioner has already undergone a custody of 02 years, 09 months and 29 days and the trial of the case might take a long time to conclude since only 05 witnesses out of 12 cited witnesses have been examined till date.

4. Notice of motion.

5. Mr. Rohit Hans, DAG, Punjab accepts notice and 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 02 years, 09 months and 29 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 the fact that the petitioner is in custody for the last approximately two years and ten months and the trial against the petitioner might take 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.

JANUARY 15, 2026.

Rajender

(H.S. GREWAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No