

124 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH



CRM-M-65007-2025 (O&M)
Date of Decision: 19.03.2026

PARAMJEET SINGH ALIAS PAMMA ... PETITIONER
VERSUS
STATE OF PUNJAB ... RESPONDENT

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

Present:- Ms. Honey Passi, Advocate for the petitioner.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 439 of Cr.P.C. in FIR No.33 dated 10.04.2023 under Sections 15(c) (Sections 25, 29 added later on) of NDPS Act registered at Police Station Maur, District Bathinda.
2. The case of the prosecution is that 240 Kgs of Poppy husk was recovered from one Innova car bearing Registration No.PB-03-BF-9797 which was being driven by co-accused namely, Gurpreet Singh @ Preet while the petitioner was sitting on the passenger seat of the said car.
3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. The mandatory provisions of NDPS Act are not followed by the Investigating Agency. He further submits that the petitioner is in custody for the last 01 year, 10 months and 10 days. He, thus, prays for grant of bail to the petitioner.
4. Notice of motion.
5. Mr. Parneet Singh Pandher, A.A.G., Punjab accepts notice on behalf of the State and vehemently opposed 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. He further

submits that as per the custody certificate, the petitioner is in custody for the last 01 year, 10 months and 10 days and is involved in one more case and out of total 11 prosecution witnesses, only 01 witness has been examined so far.

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

7. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case that the official witnesses are not appearing to depose for the prosecution; out of total 11 prosecution witnesses, only 01 witness has been examined so far; though the petitioner is stated to be involved in one more case under NDPS Act but he is on bail in that case; the petitioner is in custody for the last 01 year, 10 months and 10 days; the conclusion of trial is likely to take a long time and continuous detention of the petitioner would not serve the ends of justice, this Court has no option but to grant the concession of regular bail to the petitioner during the pendency of the trial. Moreover, *‘bail is rule and jail is exception’*.

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 bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. It is clarified that while 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.

19.03.2026
Janki

(H.S.GREWAL)
JUDGE

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