

2026:PHHC:044251



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

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CRM-M-65400-2025
Date of Decision: 20.03.2026

MAJOR SINGH

... Petitioner

VERSUS

STATE OF PUNJAB

... Respondent

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

Present: Mr. Rahul Noorie, Advocate for Mr. Satnam Singh,
Advocate for the petitioner.

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.196 dated 21.09.2025 under Section 15 of the NDPS Act, 1985 registered at Police Station Sadar Khanna, District Khanna.

2. The allegations against the petitioner is that 10 Kgs of poppy husk was recovered from the petitioner without any valid permit or licence and as such 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 and that he has committed no such offence. It is further submitted that although petitioner is involved in three more cases under NDPS Act, but the recovery in the present case is non-commercial. It is further submitted that the petitioner is in custody for the last 05 months and 24 days. He further contends that the trial is yet to commence and as such, the same 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. He further submits that the petitioner is a habitual offender as he is involved in three other cases under the NDPS Act and as such, no leniency should be shown towards the petitioner. 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 05 months and 24 days coupled with the fact that the trial of the case is yet to commence and is likely take a long time to conclude as well as the quantity of the recovered contraband being non-commercial, 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