

2026:PHHC:020065



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

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CRM-M-3069-2025
Date of Decision: 10.02.2026

JASPREET SINGH @ KALA AND ANOTHER

... Petitioners

VERSUS

STATE OF PUNJAB

... Respondent

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

Present: Mr. Deepak Bhardwaj, Advocate for the petitioners.

H.S. GREWAL, J. (ORAL)

This Revision Petition has been filed against the order dated 04.11.2025 passed by the learned Judge, Special Court, Rupnagar in Bail Application No.BA/1981/2025 arising out of FIR No.52 dated 04.05.2025 under Sections 22-61-85 of the NDPS Act, 1985 registered at Police Station Singh Bhagwantpura, District Rupnagar, whereby the application filed by the petitioners seeking default bail under Section 187(3) of BNSS has been dismissed.

2. The case of the prosecution is that the petitioners were arrested on 04.05.2025 as they were found in conscious possession of various drugs which were of commercial quantity.

3. Learned counsel for the petitioners contends that neither the challan was presented by the investigating agency within stipulated time period nor has any application been filed by the prosecution seeking extension of time for presentation of challan. Thereafter, the petitioners filed application before the trial Court seeking default bail on 01.11.2025, however, the same was adjourned to 03.11.2025.

Thereafter on 03.11.2025, the application was further adjourned to 04.11.2025, on which date, the application was dismissed by the trial Court on the ground that the challan was presented before the Court on 01.11.2025. But infact, the challan was presented after the filing of application by the petitioners in the Registry. He further submits that the stipulated period of filing the challan had already expired on 31.10.2025.

4. Notice of motion.

5. Mr. Rishabh Singla, AAG, Punjab accepts notice and submits on instructions that the stipulated date for filing the challan was 31.10.2025 whereas the challan has been presented before the trial Court on 01.11.2025. He also admits that the challan was presented after filing of the bail application by the petitioners.

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

7. In light of the above facts, this Court has no other option but to allow the instant petition. Accordingly, the instant petition is allowed and the order dated 04.11.2025 passed by the learned Judge, Special Court, Rupnagar in Bail Application No.BA/1981/2025 arising out of FIR No.52 dated 04.05.2025 under Sections 22-61-85 of the NDPS Act, 1985 registered at Police Station Singh Bhagwantpura, District Rupnagar is hereby set aside. Consequently, the petitioners are ordered to be released on bail subject to their furnishing requisite bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

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

FEBRUARY 10, 2026.

Rajender

**(H.S. GREWAL)
JUDGE**

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