



CRM-M-69132-2025

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

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CRM-M-69132-2025

Date of Decision: 25.02.2026

GURDEEP SINGH @ GOGI

... Petitioner

VERSUS**STATE OF PUNJAB**

... Respondent

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

Present: Mr. J.S.Ghumman, Advocate for the petitioner.

H.S. GREWAL, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 483 of BNSS for grant of regular bail in case FIR No. 12 dated 15.02.2024 under Sections 18 and 18 (c) (added later on) of NDPS Act, 1985 registered at Police Station Dehlon, District Police Commissionerate, Ludhiana.
2. The case of the prosecution is that an secret information was received by ASI Amarjit Singh to the effect that the petitioner used to drive his taxi from Moga to Delhi and was allegedly indulging in the illegal business of selling opium under the guise of taxi driving. On the basis of the said information, the petitioner was apprehended and 06 kilograms of opium was recovered from the vehicle driven by him.
3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He further submits that the petitioner is a taxi driver by profession and his entire family is dependent upon his earnings. It is



further submitted that no independent witnesses were associated at the time of recovery, despite the alleged recovery having been effected from a public place. The petitioner has been in custody since 19.02.2024.

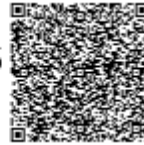
4. Notice of motion.

5. Mr. Adesh Pal Singh, AAG, Punjab accepts notice on behalf of the respondent–State and has vehemently opposed the prayer made by learned counsel for the petitioner. He has filed the custody certificate in Court today and the same is taken on record. He further submits that as per the custody certificate, the petitioner is in custody for the last 02 years and 05 days and is not involved in any other case. He further submits that challan has been presented; charges have been framed in the present case and no witness has been examined so far till date.

6. I have heard the submissions made by ld. counsel for the parties and perused the record.

7. This Court has noticed that despite service through summons,ailable warrants and even non-ailable warrants, the official witnesses are not appearing before the trial Court to depose against the petitioner, thereby resulting in delay of trial in cases registered under the provisions of the NDPS Act. In fact, the issue is a matter of grave concern for all Courts. Apart from that, such conduct not only amounts to interference in the administration of justice, but is also violative of the rights of the accused guaranteed under Article 21 of the Constitution of India.

8. Keeping in view the long incarceration of the petitioner; none witness has been examined so far; the trial is likely to take a long time to

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conclude, the continuous detention of the petitioner would not serve the ends of justice Therefore, this Court deems it a fit case to grant the concession of regular bail to the petitioner during the pendency of the trial.

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

10. 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.

11. Pending applications,if any shall also stand disposed of.

25.02.2026***renu*****(H.S. GREWAL)
JUDGE**

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