

2026:PHHC:025529



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

105+216

CRM-M-69047-2025 (O&M)
Date of decision: 18.02.2026

KULWINDER SINGH ALIAS VICKYPetitioner

VERSUS

STATE OF PUNJABRespondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Yajur Sharma, Advocate
for the petitioner.
(*Through Video Conferencing*).

Mr. Mohit Kapoor, Senior DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

CRM-7522-2026

Application is allowed as prayed for and Annexure A-3 is taken
on record.

CRM-M-69047-2025

1. The instant petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail in case bearing FIR No. 118 dated 17.06.2025, registered under Section(s) 21(b), 27(a) & 29 (Section 21(c) added later) of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Chheharta, District

Police Commissionerate Amritsar.

2. Learned Counsel appearing on behalf of the petitioner contends that the Police had registered the instant FIR on a chance recovery of 102 grams of Heroin alongwith drug money of Rs.2800/- effected from co-accused namely Gagandeep Singh @ Gagan and Jashanpreet Singh @ Jashan. He contends that the petitioner was never attributed any role at the initial stage of the investigation. On the disclosure statement of aforesaid co-accused-60 kilograms of Heroin was effected from co-accused Gursahib Singh, from Rajasthan. The name of the petitioner surfaced from a technical analysis of the phone of co-accused Gursahib Singh recovered from Jail wherein the petitioner's phone number was saved as a contact. It is contended that the petitioner thereafter joined the investigation on 24.06.2025 and was taken in custody on the same day, notwithstanding that no recovery of any nature whatsoever was effected from him. Counsel vehemently contends that 06 days after the aforesaid custody, the Police carried out a disclosure based recovery of 200 grams of Heroin on 30.06.2025 at the instance of the petitioner and attributed the same to him. Counsel contends that the said recovery is concocted and has been planted upon the petitioner to falsely show his involvement. He contends that apart from the instant case, the petitioner has no other criminal antecedents and save and except the belated and manufactured recovery of 200 grams of heroine, there is nothing on record to link the petitioner's involvement to the instant FIR. He also contends that the petitioner has already undergone an actual custody of more than 08 months in the aforesaid case notwithstanding the recovered quantity is non-commercial in nature.

3. Counsel for the petitioner further contends that the petitioner has been nominated as an accused by the Investigating Officer namely Inspector Vinod Sharma, who himself has been booked by the Punjab Vigilance Bureau in a serious corruption case wherein he, alongwith a middleman, was found demanding a bribe of Rs. 30 lakhs from a local trader by threatening to implicate them in a false NDPS case. The middleman was arrested red-handed with sum of Rs. 5 lakhs and the official statement of SSP Vigilance confirms that there exist audio recordings and other material substantiating the allegation of demanding bribe and misusing the official position by the Officer concerned. He thus contends that the Investigating Officer is a person of dubious integrity and has been raising such demands from numerous persons and whoever refused to give in to his demands of illegal gratification, false cases are foisted upon him. The FIR No. 41 dated 31.10.2025 registered against the Investigating Officer-Vinod Sharma has also been placed on record.

4. Learned State Counsel, on the other hand, contends that as per the disclosure statement of the co-accused-Gursahib Singh, 05 kg out of the total 60 kg recovered from Rajasthan at his instance was meant to be sold to the petitioner herein. He, however, does not dispute that the petitioner is in custody for more than 08 months and the trial has not yet commenced and as there are 39 witnesses to be examined, hence, conclusion of the trial shall take a long time. It is also not disputed that apart from the disclosure statement of Gursahib Singh with respect to a proposed sale of 05 kg of the contraband to be made to the petitioner, there is no other allegation against the petitioner and that the recovered quantity of 200 grams of heroin falls under non-commercial quantity.

5. Having heard learned counsel appearing on behalf of the respective parties and taking into consideration that the petitioner is a young boy aged 19 years with clean antecedents and that the recovered quantity is non-commercial by nature coupled with the stage of the trial where no witness has been examined and the same is likely to take a long time to conclude and further bearing in mind that arguable issues arise with respect to involvement of the petitioner in the offence, which would be adjudicated by the trial Court during trial, I deem it appropriate to enlarge the petitioner on regular bail to the satisfaction of the trial Court.

6. The instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

7. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

8. The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

FEBRUARY 18, 2026

Vishal Sharma

**(VINOD S. BHARDWAJ)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No