

2026:PHHC:047876



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

131

CRM-M-70025-2025
Date of Decision: 24.03.2026

KULDEEP SINGH @ KEEPA

... Petitioner

VERSUS

STATE OF PUNJAB

... Respondent

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

Present: Mr. H.S. Sandhu and Mr. Ansh Sidhu,
Advocates 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.126 dated 26.09.2024 under Sections 21-C and 29/61/85 of the NDPS Act and Section 10,11, 12 of the Aircraft Act registered at Police Station Khalra, District Tarn Taran.

2. The case of the prosecution is that on the basis of secret information, the police party reached the fields of Bagicha Singh, where they found four persons, who upon seeing the police party, threw a yellow packet in the fields. ASI Nishan Singh knew two of them, who were Murti Singh and Salwinder Singh. During search, the yellow packet was recovered from the fields, which contained 501 grams of heroin. Later on, the petitioner was also found involved in the alleged offence and as such, he was booked in the present case.

3. Learned Counsel for the petitioner contends that the allegations against the petitioner are false and the petitioner has been falsely implicated in the present case. He further submits that the petitioner was neither named in the FIR nor was he arrested at the spot. He further submits that the name of the petitioner surfaced only on the basis of a disclosure statement made by a co-accused and apart from the said disclosure statement, there is no other material evidence to link the petitioner with the alleged recovery. It is further submitted that the petitioner is not involved in any other case and nothing has been recovered from him in the present case. He further submits that the petitioner is in custody for the last 11 months and 20 days and the trial of the case is yet to commence and as such, the same will take a long time to conclude.

4. Learned State Counsel, on the other hand, 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. 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 last 11 months and 20 days coupled with the fact that the trial of the case is likely take a long time to conclude as well as the fact that nothing has been recovered from the petitioner, 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 24, 2026.
Rajender

(H.S. GREWAL)
JUDGE

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