



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

237

**CRM-M-1317-2025**

**Date of decision: 15.05.2025**

Kulwinder Ram @ Kinda

.....Petitioner

*Versus*

State of Punjab

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Dinesh Nagar, Advocate for the petitioner.  
Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

**MANJARI NEHRU KAUL, J (ORAL)**

1. The instant petition has been filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case FIR No.0138 dated 27.08.2022 under Sections 21,25,29 of NDPS Act registered at P.S City Nawanshahr, District SBS Nagar.
2. Learned counsel for the petitioner submits that in a case of false implication, the petitioner has been in custody since 27.08.2022; there is no visible likelihood of the trial concluding in the near future as only 18 prosecution witnesses out of 32 have been examined so far. The prayer has therefore been made by learned counsel for extending the concession of bail to the petitioner in view of his long incarceration.
3. Per contra, learned State counsel, on instructions, while opposing the prayer and submissions made by the counsel opposite, has submitted that specific secret information was received qua involvement of the petitioner in drug trafficking. Pursuant to the secret information, the petitioner was apprehended by the police after due compliance of all the mandatory provisions of NDPS Act and



huge recovery of 38 kg of heroin was made from the Truck in which the afore mentioned contraband was being transported. Learned State counsel, on further instructions, has submitted that the trial is also nearing completion with 05 prosecution witnesses remaining to be examined who in all likelihood would be examined on the next date of hearing before the learned trial Court. Learned State counsel has also pointedly asserted that the petitioner is a man of previous criminal antecedents as it is a matter of record that he stands previous convicted under the provisions of NDPS Act.

4. I have heard learned counsel for the parties and perused the relevant material placed on record.

5. No doubt, the petitioner has been in custody since 27.08.2022. However, the allegations against the petitioner are serious in nature and the alleged recovery effected from the petitioner i.e 38 kg of heroin is much beyond the minimum classified as commercial under the NDPS Act. In addition, the petitioner has already been convicted in one other case registered under NDPS Act, which prima facie hints towards the petitioner's involvement in such like crimes. This Court does not deem it fit in view of above facts and circumstances to extend the concession of bail to the petitioner, more so when the trial is nearing conclusion.

6. Dismissed.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

8. At this stage, prayer has been made by learned counsel representing the petitioner to issue appropriate directions to the learned trial Court to expedite the trial and conclude it at the earliest, in view of long incarceration of the petitioner.



9. The trial Court would make earnest efforts to expedite the trial Court and conclude it at the earliest.

**May 15, 2025**  
**manoj**

**(MANJARI NEHRU KAUL)**  
**JUDGE**

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