



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

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**CRM-M-54091-2025
Date of decision: 29.09.2025**

KULDEEP SINGH ALIAS BABBUPetitioner

VERSUS

STATE OF PUNJABRespondent

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

Present: - Mr. Amit Agnihotri, Advocate
for the petitioner.

Mr. Mohit Kapoor, Senior DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The instant first petition is for seeking concession of regular bail in case bearing FIR No. 44 dated 22.10.2023 registered under Sections 18, 21, 25 and 29 of the NDPS Act, 1985 at Police Station State Special Operations Cell, District Amritsar.

2. Briefly summarized, facts of the present case are that on 22.10.2023, secret information was received that Sarwan Singh @ Bhola, brother of the applicant, had managed to flee abroad to the U.S.A. He was earlier allegedly involved in cross-border smuggling of heroin with the help of drones and other means and was in direct contact with one Nasir Khan of Pakistan. Large consignments were reportedly being supplied through border districts of Punjab. Information was also received that other family members

and associates of Sarwan Singh were also part of the supply chain. Acting upon the information, accused Rahul and Maninder Singh @Panna were apprehended in car bearing number HR-26-BZ-6878 on Amritsar-Fatehgarh Churian Road near Muradpura. From Rahul, recovery of 12 kg 430 grams of heroin was effected, while from Maninder Singh, 23 kg 300 grams of opium along with a pistol and five live cartridges were recovered. During interrogation, accused Rahul made a statement implicating the present applicant. Even though at that time the applicant was already in custody in another case, he was arrested on production warrant and has been in custody in this case since 02.12.2023.

3. Learned Counsel appearing on behalf of the petitioner contends that the petitioner has been nominated as an accused on the basis of disclosure statement made by the co-accused Rahul and Manjinder Singh @ Panna from whose actual physical possession, the contrabands have been recovered. He contends that the petitioner was arrested in the present case on the basis of a production warrant, hence, there was no occasion of the petitioner being involved.

4. Counsel for the respondent-State on the other hand contends that huge quantity of contraband had been recovered from the co-accused and on his disclosure statement the petitioner was nominated as an accused. However, he is not in a position to refer to any material on the basis whereof the link of the petitioner could be established to the commission of the present offence. Further, it is not disputed that despite the petitioner being in custody in the present case, a period of nearly two years has elapsed and even the charges have not been framed so far. Hence, the conclusion of the trial is likely to take a long time.

5. I have heard learned counsel appearing on behalf of the respective parties.

6. In view of the facts noticed above and taking into consideration that the petitioner has already undergone an actual custody of nearly 01 year and 09 months in the present FIR and that the trial has so far not even commenced, I deem it appropriate to enlarge the petitioner on regular bail to the satisfaction of the trial Court.

7. 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.

8. 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.

9. 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.

SEPTEMBER 29, 2025

Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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