



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

**CRM-M-37496-2025**

**Date of Decision:05.08.2025**

Kanwaljit Khan @ Kamal Khan @ Kammu ...Petitioner

Vs.

State of Punjab ...Respondent

**Coram :** **Hon'ble Mr. Justice N.S.Shekhawat**

Present : Mr. Sukhbir Maandi, Advocate  
for the petitioner.

Mr. Ravneet Singh Joshi, DAG, Punjab.

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**N.S.Shekhawat J. (Oral)**

1. The petitioner has filed the present petition under Section 483 of BNSS with a prayer to grant regular bail to him in case FIR No.88 dated 16.10.2023, registered under Section 21/61/85 of NDPS Act 1985, Police Station Chohla Sahib, District Tarn Taran.

2. As per prosecution version, on the basis of the disclosure statement of co-accused, Kanwaljit Khan @ Kamal Khan @ Kammu , the petitioner was apprehended by the police party and 290 grams of heroin was recovered from his conscious possession on 16.10.2023, which is marginally above commercial quantity.

2. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case and no recovery was effected from him. The petitioner is in custody since 16.10.2023 and the final report under Section 173 Cr.P.C. has already been presented against him. He further contends that the prosecution has been able to examine only 06 witnesses out of

11 witnesses so far and the trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. Thus, it is prayed that he may be released on regular bail. He next contends that similarly placed co-accused Harpreet Singh @ Happy has been granted the concession of bail by this Court on 09.07.2025 (Annexure P-3). In support of his contentions, learned counsel for the petitioner has relied upon judgments in **(i) CRM-M37684-2021, Balwinder Singh vs. State of Punjab**, decided on 14.02.2022; **(ii) CRM-M-8212-2022, Tajinder Singh vs. State of Punjab**, decided on 03.03.2022 and **(iii) CRM-M-35186-2016, Manjit Kaur @ Jeeto vs. State of Punjab**, decided on 01.12.2016.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

4. I have heard learned counsel for the parties and perused the record.

5. Keeping in view the facts and circumstances of the case, custody period of the petitioner and also the fact that the quantity of alleged contraband is marginally above the 'commercial quantity', but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail. Moreover, similarly placed co-accused Harpreet Singh @ Happy has been granted the concession of bail by this Court on 09.07.2025 (Annexure P-3)

6. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/

Duty Magistrate/Chief Judicial Magistrate subject to the following conditions:-

(i) *The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.*

(ii) *The petitioner shall remain present before the Court on the dates fixed for hearing of the case.*

(iii) *The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.*

(iv) *The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.*

(v) *The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.*

(vi) *In case, the petitioner is involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.*

(vii) *The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.*

7. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to him shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

**(N.S.SHEKHAWAT)**  
**JUDGE**

05.08.2025  
hitesh

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