



CRM-M-29715-2025

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

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Date of decision : 02.07.2025

Kulwant Singh

... Petitioner

Versus

State of Punjab

.. Respondent

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

Present:- Mr. Gurjeet Singh Saini, Advocate for the petitioner.

Mr. Manveer Singh Toor, AAG, Punjab.

H.S. Grewal, J.(Oral)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in FIR No.09 dated 09.01.2023, under Sections 22, 29, 60 & 85 of the NDPS Act, registered at Police Station City-1, Abohar, District Fazilka.

2. Learned counsel for the petitioner submits that it is alleged that the petitioner, who was driving the truck, accompanied by co-accused Lovepreet Singh @ Lav were apprehended having in possession of 1,10,000 tablets of Tramadol and 15,000 tablets of Clovidol-100 SR from the cargo area of the truck. Learned counsel, however, submits that the petitioner is merely a truck driver and is not the owner of the truck. Moreover, he was not in conscious possession of the contraband recovered from the cargo area of the truck. He also submits that co-accused Lovepreet Singh @ Lav has been granted bail by this Court in CRM-M-60391-2024 on 01.05.2025 (Annexure P-3). He also



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submits that the petitioner is in custody for 02 years, 05 months and 14 days and is not involved in any other case under the NDPS Act.

3. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner. He has filed the custody certificate of the petitioner, which is taken on record. As per the custody certificate, the petitioner is in custody for 02 years, 05 months and 14 days. Learned State counsel, upon instructions, submits that 05 out of 19 prosecution witnesses have been examined.

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

5. In view of the above submission of learned counsel(s) and the fact that the petitioner is in custody for 02 years, 05 months and 14 days, he is not involved in any other case under the NDPS Act, co-accused has been granted bail and the trial is likely to take time as only 05 out of 19 prosecution witnesses have been examined so far, the continuous detention of the petitioner would not serve the ends of justice. Keeping in view the facts and circumstances of the present case, I deem it a fit case to grant the concession of regular bail to the petitioner during the pendency of the trial.

6. 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 bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.



7. However, it is made clear that in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of his bail.

(H.S.GREWAL)
JUDGE

02.07.2025

A.Kaundal

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