

(2026) 08 P&H CK 0472
In the Punjab And Haryana At Chandigarh
Case No : CRM-M No.42207 of 2026

Gurcharan Singh @ Channu

APPELLANT

Vs

State Of Punjab

RESPONDENT

Date of Decision : 05-08-2026

Acts Referred:

Narcotic Drugs and Psychotropic Substances Act, 1985 — Section 21(c)
Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 483

Citation : (2026) 08 P&H CK 0472

Hon'ble Judges : H.S. Grewal, J

Bench : Single Bench

Advocate : Mr. Prateek Pandit, Advocate for the petitioner; Mr. K.D. Sachdeva, DAG, Punjab.

Final Decision : Petition allowed

Judgement

1. The present petition has been filed under Section 483 of BNSS, 2023 (erstwhile Section 439 Cr.P.C.) seeking regular bail to the petitioner in case FIR No.95 dated 22.06.2024, registered under Sections 21 (c) of the NDPS Act, 1985 at Police Station Special Task Force District STF Wing SAS Nagar (Mohali).

2. The case of the prosecution is that the petitioner was apprehended with 720 grams of Heorin. The contraband which was recovered falls under the category of commercial quantity.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and out of 17 prosecution witnesses, only 05 have been examined so far. It is further submitted that the remaining prosecution witnesses are not appearing before the trial Court despite the issuance of warrants against them. Learned counsel submits that all the witnesses examined till date are official witnesses and that the prosecution has failed to produce any substantive evidence connecting the petitioner with the alleged offence. Learned counsel further submits that the petitioner has undergone more than 02 years, 01 month and 10 days. He, therefore, prays for the grant of regular bail to the

petitioner.

4. Notice of motion.

5. On the asking of the Court, Mr. K.D. Sachdeva, DAG, Punjab, accepts notice on behalf of the respondent and vehemently opposes the prayer for grant of regular bail to the petitioner. He has filed the custody certificate of the petitioner in Court, which is taken on record. As per the custody certificate, the petitioner is in custody for more than 02 years, 01 month and 10 days.

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

7. In view of the above submissions of learned counsel for the parties and keeping in view the facts that the petitioner is in custody for more than 02 years, 01 month and 10 days and that the trial is likely to take a long time to conclude, therefore, this Court deems it appropriate to grant the concession of regular bail to the petitioner during the pendency of the trial as the continuous detention of the petitioner would not serve the ends of justice.

8. 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 learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

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