CNR No: PHHC010249382026
2026:PHHC:128701

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

148 CRM-M-8836-2026 (O&M)
Date of Decision: 11.09.2026

Varinder Singh …Petitioner

V/s

State of Punjab …Respondent

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. L.S. Sidhu, Advocate, for the petitioner.

Mr. Rahul Jindal, AAG, Punjab.

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VIKRAM AGGARWAL, J (ORAL)

The prayer in the present petition preferred under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'the BNSS') is for the grant of regular bail to the petitioner in case FIR No.99, dated 16.07.2025 registered at Police Station Mamdot, District Ferozepur, under Sections 21 of the of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act').

2. Custody certificate dated 09.09.2026 filed in Court today is taken on record.

3. On 16.07.2025, on the basis of a secret information, two persons namely Krishan Singh alias Lala and Varinder Singh (petitioner) were apprehended. Upon the personal search of Krishan Singh alias Lala, 509 grams of heroin (commercial quantity) was allegedly recovered. Accordingly, both Krishan Singh alias Lala and the petitioner were arrested. Krishan Singh alias Lala was granted default bail on account of the final report not having been submitted within the stipulated time.

4. Learned counsel for the petitioner submits that the petitioner has

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been falsely implicated. He submits that the contraband was recovered from the pocket of Krishan Singh alias Lala and that under the circumstances, the petitioner cannot be said to have been in conscious possession of the same. He submits that the main accused is on default bail. He further submits that the petitioner is in custody from the date of his arrest i.e. 16.07.2025; 1 year, 1 month and 24 days have gone by; the antecedents of the petitioner are largely clean except for one case registered under the NDPS Act, in which he is on bail; investigation stands completed; final report has been submitted; charges have been framed on 27.09.2026 and out of 15 witnesses, 5 have been given up and the remaining are yet to be examined. He submits that under the circumstances, trial will take a sufficiently long time, therefore, no useful purpose would be served by keeping the petitioner in custody any longer.

5. *Per contra*, learned State counsel has opposed the bail application, stating that the allegations against the petitioner are very serious and that if the petitioner is released on bail, he may try to influence and threaten the witnesses and may also abscond.

6. I have considered the submissions made by learned counsel for the parties.

7. The petitioner is in custody for the last 1 year, 1 month and 24 days, he having been arrested on 16.07.2025. The main accused Krishan Singh @ Lala from whose pocket the contraband is alleged to have been recovered is already on default bail. As to whether the petitioner can be said to be in conscious possession of the contraband would be a debatable issue. The antecedents of the petitioner are largely clean except for one case registered under the NDPS Act, in which, he is already on bail. Investigation stands completed. Final report has been submitted and charges have been framed on

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27.09.2026. Out of 15 witnesses, 5 have been given up and remaining are yet to be examined. It is, therefore, clear that trial will take a sufficiently long time and in the considered opinion of this Court, no useful purpose would be served by keeping the petitioner in custody any longer.

8. In view of the aforementioned facts and circumstances, without expressing any opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

9. Pending application(s), if any, shall also stand disposed of.

(VIKRAM AGGARWAL)
JUDGE

September 11, 2026
vcgarg

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

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