



CRM-M-15298-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

232 CRM-M-15298-2025 (O&M)
Decided on : 10.11.2025

Gurdeep Singh@ Labhu . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Abhinav Singla, Advocate,
for the petitioner.

Mr. Jasdeep Singh, Addl. AG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.) for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Gurdeep Singh @ Labhu	222	08.11.2024	22, 29,61,85 of NDPS Act, 1985	Dasuya	Hoshiarpur

2. Counsel for the petitioner argues that as per FIR, 87 grams of intoxicating powder was recovered from the polythene bag having been thrown from the pocket of the lower worn by the accused Sandeep Singh @ Sonu Sahi. Thus, petitioner was not alleged to be present at the time of affecting recovery of the contraband.

3. As per FSL report, intoxicating substance was found to be 87 grams of Etizolam, and same has been considered as 'commercial quantity'. No direct or indirect link of petitioner is established with the alleged recovery, therefore, his involvement in the case is totally baseless, because, same is only on the basis of disclosure statement. Further argues that there are total 6 more cases, out of which 2 cases pertains to NDPS Act:-

(i) FIR No.132 dated 25.12.2023 registered under Section 21-B/61/85 of NDPS Act at Police Station Sadar Gurdaspur.

(ii) FIR No.183, dated 15.11.2022, under Section 15/61/85, 22/61/85 of NDPS Act and Sections 25/54/59 of Arms Act, registered at PS Dasuya, District Hoshairpur.

4. In regard to the second case, i.e. FIR No.183 dated 15.11.2022 under Section 15/61/85, 22/61/85 of NDPS Act and Sections 25/54/59 of Arms Act, registered at PS Dasuya, District Hoshairpur. Learned counsel further argues that in the both other cases petitioner has already been granted the concession of bail. Petitioner has neither been convicted nor has ever misused the concession of bail. Petitioner being inside jail for about 11 months and 16 days (since 09.11.2024) and trial is also not likely to be concluded in near future, hence, petitioner cannot be detained for an indefinite period. Thus, counsel prays for bail.

5. On the other hand, learned State counsel while opposing the bail of the petitioner submits that the quantity recovered from the

co-accused namely Sandeep @ Sonu is commercial in nature i.e. 87 gram of Etizolam and petitioner being supplier of the same is equally liable and thus should not be granted the concession of bail.

6. He further argues that such kind of incidents are at peak in the State of Punjab, which is spoiling the social environment. However as of now learned State counsel is unable to point out any specific evidence apart there is no statement to establish link of him with the main accused Sandeep Singh @ Sonu Sahi. The petitioner has already suffered incarceration for a period of 1 year (since 09.11.2024).

7. I have heard learned counsel for the parties and perused the relevant material available on record.

8. While considering the plea of bail, this Court is conscious of the fact of recovery of narcotic contraband from the petitioner. The petitioner cannot be detained only for the reasons that he has been named by the police in other 2 other NDPS cases in which he is already on bail. Thus, it is admitted position that the petitioner is not a convicted offender.

9. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

10. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

11. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

12. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

13. Petition stands **disposed of**.

(SANJAY VASHISTH)
JUDGE

November 10, 2025
archana

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