



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

CRM-M-14128-2025 (O&M)

Reserved on : 15.07.2025

Pronounced on : 18.07.2025

Gurdit Singh @ Geetu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Prateek Pandit, Advocate
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

MANISHA BATRA, J.

1. The instant one is the second petition that has been filed by the petitioner for grant of regular bail in case bearing FIR No. 295 dated 13.11.2021, registered under Sections 15(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Sultanpur Lodhi, District Kapurthala. The previous petition, bearing number **CRM-M-55495-2024**, was dismissed as withdrawn on 19.04.2024.

2. Brief facts of the case relevant for the disposal of the present petition are that on 13.11.2021, a police party was on patrolling duty and in search of bad elements. When they reached half kilometer ahead of Village Sherpur Dona, they noticed that one Innova car as well as a truck were parked there, in front of which, six persons were filling the sacks. However, on seeing the police party, four of the said persons fled away from the spot in their Innova car, whom SI Inspector Harjeet Singh and ASI Gurdeep Singh already knew by their names, as Gurdit Singh @ Gittu (petitioner), his brother Tikka Singh, Didar Singh @ Kaddu and Parmatma Singh @ Bhola. The said Innova car was



chased by Inspector Surjit Singh and police party; and in the meanwhile, the remaining two persons also tried to flee away from the spot but they were apprehended by the police party. On enquiry, the driver disclosed his name as Gurcharan Singh, whereas the cleaner disclosed his name as Sandeep Singh. Thereafter, search of the truck was conducted and recovery of 270 kgs. of poppy husk was effected. Subsequently, the petitioner was arrested on 27.02.2023. After completion of necessary investigation and usual formalities, *challan* was presented in the Court and presently, the petitioner along with the co-accused is facing trial for commission of aforesaid mentioned offences.

3. Learned counsel for the petitioner has argued that he has been falsely implicated in this case. He was neither arrested at the spot nor has any recovery been effected from him. In fact, the recovery was effected from the said truck and the petitioner has no connection with the same. Even otherwise, investigation stands completed and *challan* has been filed. Conclusion of trial is likely to take time. The petitioner is in custody since 27.02.2023. No useful purpose would be served by keeping him in custody anymore. Similarly situated co-accused Didar Singh @ Kaddu and Parmatma Singh @ Bhola have already been granted concession of regular bail by this Court, vide orders dated 19.04.2024 and 08.01.2025 passed in **CRM-M-1310-2024** and **CRM-M-39108-2024**. On the grounds of parity, the petitioner too deserves the same benefit. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Status report has been filed by the respondent-State. It is argued by learned Assistant Advocate General, Punjab that keeping in view the gravity of the allegations levelled against the petitioner, he is not entitled to get benefit of bail. Hence, it is urged that the petition is liable to be dismissed.



5. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.
6. Admittedly, the petitioner was not arrested at the spot. No recovery is shown to have been effected from him. Rather, the alleged recovery of the contraband was effected from the said truck. The petitioner is in custody since 27.02.2023. Trial is going on and it would take time to conclude. Similarly situated co-accused have already been granted concession of regular bail by this Court, as mentioned above. Although the petitioner is shown to be involved in some other cases of similar nature but that cannot be made a ground for denying him benefit of bail in the given circumstances. Therefore, keeping in view the aforesaid facts, I am of the considered opinion that no useful purpose would be served by keeping him in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.
7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

18.07.2025

Wasim Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No