



CRM-M-45580-2025

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

234

CRM-M-45580-2025
Decided on :26.08.2025

Gurlal Singh alias Guri

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Shubham Kaushik, Advocate for the petitioner.

Mr. Bareen Pratap Singh, AAG, Punjab

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No. 92 dated 29.08.2023, under Sections 21(c) and 29 of NDPS Act, registered at Police Station Khalra, District Tarn Taran.

2. Learned counsel for the petitioner submits that, as per the allegations, petitioner and his co-accused, namely Lovepreet Singh alias Love, were together on one motorcycle when intercepted by the police. During the search, 798 grams of heroin were recovered from the co-accused Lovepreet Singh @ Love, and 839 grams of heroin were allegedly recovered from the petitioner.



Counsel further submits that similarly situated accused, namely Lovepreet Singh @ Love, from whom 41 grams less quantity of heroin was recovered, has already been granted the concession of regular bail by the co-ordinate Bench of this Court vide order dated 04.08.2025.

Counsel also submits that the petitioner is in custody since 02.09.2023, i.e., for about one year and eleven months, and that out of a total of thirteen prosecution witnesses, only three have been examined till date, indicating that the trial is likely to take considerable time. Thus, counsel prays for the grant of regular bail to the petitioner.

3. Learned State Counsel opposes petitioner's plea for regular bail, submitting that the allegations against the petitioner are serious in nature involving a substantial quantity of heroin (839 grams) allegedly recovered from him. The investigation in the case is still underway, and the trial is at a preliminary stage with only a few prosecution witnesses examined so far. Moreover, the petitioner's case is distinguishable from that of the co-accused Lovepreet Singh @ Love, who was granted bail under different circumstances. Considering the gravity of the offence and the quantity of contraband involved, prays for dismissal of the present petition.

4. Having heard learned counsel for the parties and perused the case record, it is noticed that the petitioner is in custody since 02.09.2023, and the trial is still at an early stage as only three out of thirteen prosecution witnesses examined so far. The quantity of heroin allegedly recovered from the petitioner is substantial; however, it is also

**CRM-M-45580-2025****3**

observed that a co-accused, from whom a slightly lesser quantity was recovered, has already been granted regular bail by the co-ordinate Bench of this Court. Considering the lengthy period of custody undergone by the petitioner, the likelihood of a protracted trial, and the principle of parity, this Court finds merit in the prayer of the petitioner.

5. 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/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

6. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

7. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

26.08.2025*Rashmi*

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