

CRM-M-45687-2025 (O&M)

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

213

Date of decision: 29.10.2025.

CRM-M-45687-2025 (O&M)

Gurpreet Singh @ Gori

...Petitioner

VERSUS

State of Punjab

...Respondent

218

CRM-M-51624-2025 (O&M)

Baggu Singh @ Sukhdev Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Abhaysher Singh, Advocate
for the petitioner in CRM-M-45687-2025.

Mr. Piyush Sharma, Advocate
for the petitioner in CRM-M-51624-2025.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

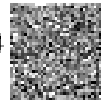
VINOD S. BHARDWAJ, J. (Oral)**CRM-42866-2025 in CRM-M-45687-2025**

Allowed as prayed for.

Documents (Annexure P-5 and P-6) are taken on record.

Main case

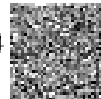
1. Both petitions are being decided by a common order since petitioners in both the cases are seeking regular bail in the same case bearing FIR No.73, dated 03.06.2023, registered under Sections 21, 23, 28, 29, 30,



61 & 85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Sections 182/192 of Motor Vehicles Act added later on vide report No.29 dated 06.09.2023) at Police Station Sadar Jalalabad, District Fazilka.

2. Learned counsel for the petitioner contends that the case of the prosecution is that a secret information was claimed to have been received by the police that certain contrabands had been smuggled from Pakistan via a drone and Gurpreet Singh @ Gori, co-accused Hushiar Singh and certain unknown persons have collected the same for further delivery and are transporting the contraband on one motorcycle make Platina bearing registration No.PB37D3036. On the basis of information received, nakabandi was done by the police and Gurpreet Singh @ Gori and Hushiar Singh were arrested and recovery of 9.387 kg of heroin was effected from them. Learned counsel appearing for the petitioner in CRM-M-45687-2025 contends that co-accused Hushiar Singh has already been granted concession of regular bail by this Court vide order dated 24.07.2025 passed in CRM-M-37980-2025 relying upon the judgment of the Hon'ble Supreme Court in the matter of ***SLP No.6690 of 2022 titled as "Dheeraj Kumar Shukla Vs. State of Uttar Pradesh"***. He contends that the petitioner has undergone custody for a longer duration as compared to the co-accused Hushiar Singh. He further submits that only 05 out of 15 witnesses cited by the prosecution have been examined so far, and the petitioner is not involved in any other criminal case under the NDPS Act. The trial is hence likely to take long time to conclude.

Learned counsel for the petitioner Baggu Singh @ Sukhdev Singh in CRM-M-51624-2025 submits that no recovery has been effected

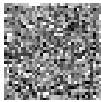


from the petitioner in the said case and he has been nominated as accused solely on the basis of secret information received by the police. Moreover, he is custody since 29.10.2024 and has undergone more than one year of imprisonment.

3. Per contra, learned State counsel vehemently contends that it is a case of recovery of commercial quantity and the embargo under Section 37 of the NDPS Act would be applicable on the petitioner. However, it is not disputed that similar arguments were also raised by the State in relation to the co-accused Hushiar Singh to whom the concession of bail has already been granted.

In respect of the petitioner-Baggu Singh @ Sukhdev Singh, learned State counsel contends that he is involved in other cases under Section 21 of the NDPS Act on account of recovery of 550 grams of heroin and also in FIR No.97/2020 registered under Section 109 IPC and FIR No.215/2024 registered under Sections 10, 11 & 12 of Aircraft Act. He, however, does not dispute that no recovery of any contraband has been effected from the said petitioner in the present case and only Rs.2.67 lakhs have been recovered from him.

6. Having heard the learned counsel for the parties and taking into consideration the period of custody already undergone by the petitioners and his role being similar to co-accused Hushiar Singh, extending parity to the petitioner-Gurpreet Singh @ Gori with co-accused Hushiar Singh and taking into consideration that no recovery has been effected from the petitioner-Baggu Singh @ Sukhdev Singh and he has been arrayed as an accused solely on the basis of secret information and also bearing in mind the stage



of the trial, the present petitions are allowed. Petitioners are ordered to be released on bail on their furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

7. It is made clear that the petitioner(s) shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

8. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

October 29, 2025.
monika

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No