



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

**CRM-M-46525-2025
Date of decision: 28.08.2025**

GURWINDER SINGH ALIAS KAKA

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present: Mr. Tarun Sharma, Advocate
for the petitioner.

Mr. Rahul Jindal, AAG, Punjab.

YASHVIR SINGH RATHOR, J. (Oral)

1. Prayer in the present petition is for regular bail to the petitioner in case FIR No.69 dated 01.12.2024 (Annexure P-1), registered at Police Station Fatehgarh Panjtoor, District Moga, under Sections 15 of NDPS Act (Section 29 of NDPS Act added later on).
2. Learned counsel for the petitioner as well as learned State counsel have been heard and material collected by the police during investigation has been perused.
3. As per prosecution case, two persons namely Veer Singh and Nishan Singh were apprehended on 01.12.2024 by the police on the basis of secret information after, a raid was conducted at their garage. Both got recovered 26 Kg of poppy husk each in pursuance of their disclosure



statements. Accused Veer Singh nominated Mangal Singh and Sona Singh and thereafter, Sona Singh was arrested on 18.04.2025 and Mangal Singh was also arrested. On interrogation, co-accused Mangal Singh suffered disclosure statement to the effect that petitioner Gurwinder Singh was employed as his driver and he used to look after the garage situated in his land from where contraband has been recovered. Petitioner was arrested on 06.05.2025 and after completion of investigation, final report has been presented against the accused for trial.

4. Learned counsel for the petitioner argued that petitioner has been falsely implicated in the present case. Initially, two persons namely Veer Singh and Nishan Singh were arrested along with 52 Kg of poppy husk in their conscious possession without any permit or licence and Veer Singh had nominated one Mangal Singh as the owner of the garage from where recovery was effected as well as one Sona Singh. Thereafter, Mangal Singh was arrested, who nominated present petitioner as the person, who was in control of garage situated in his land. Petitioner was arrested on 06.05.2025 and he is in custody since then. Learned counsel further contended that co-accused Sona Singh, who was also named by co-accused Veer Singh and Nishan Singh has already been released on bail by a Co-ordinate Bench of this Court vide order dated 28.07.2025 (Annexure P-3). Challan has already been presented after completion of investigation and his further detention is not required and he may be released on bail.



5. On the other hand learned State counsel has opposed the bail and has prayed for its dismissal.

6. In the present case, the petitioner is in custody since 06.05.2025. He was nominated as an accused by Mangal Singh, who himself was nominated as accused by main accused namely Veer Singh and Nishan Singh from whom poppy husk was recovered. At this stage, the only evidence against the petitioner is the disclosure statement suffered by co-accused. Nothing has been recovered from the possession of petitioner. As to how much evidentiary value shall be attached to the disclosure statement of co-accused shall be subject matter of trial. The final report has already been presented and trial is likely to take long time to conclude and further detention of the petitioner is thus not required.

7. Having regard to the aforesaid factual position, but without commenting anything on the merits of the case, the bail application is allowed and petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

28.08.2025

Priyanka Thakur

(YASHVIR SINGH RATHOR)
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No