



CRM-M-48584-2025

-1-

224 **IN THE HIGH COURT OF PUNJAB AND HARYANA**
AT CHANDIGARH
CRM-M-48584-2025
Date of Decision: 05.09.2025

Gursewak Singh @ Rubal

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Jagjeet Singh, Advocate, for the petitioner.

Ms. Simran Gorla, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached by way of filing the present petition praying for grant of regular bail in case FIR No.131 dated 29.05.2025 under Sections 21(b), 27(a) and 29 of NDPS Act, 1985, registered at Police Station Dinanagar, District Gurdaspur.
2. Succinctly the facts of the case are that the Police party while on patrolling on 29.05.2025, when reached near Swarg Palace, a motorcycle make TVS Rider was seen coming. It was signalled to be stopped for checking but one person who was pillion rider ran away from the spot and rider of the motorcycle was caught hold by the police party. On asking, he disclosed his name as Hardeep Singh. He was suspected to be carrying some contraband and thus, on giving offer, search was conducted. On conducting the search, 30 grams of heroin from the right hand side of '*chola*' worn by the petitioner, was recovered along with Rs.58,500 as drug money. He failed to produce any license regarding possession of the same and hence, the FIR was registered and he was arrested on spot. The investigation commenced. During the investigation, disclosure statement of Hardeep Singh was recorded, wherein, he disclosed about the complicity of petitioner i.e.



Gursewak Singh @ Rubal and thus, he was also arrayed as an accused in the present case and he was arrested on 29.05.2025. The petitioner approached the learned Judge, Special Court, Gurdaspur praying for grant of bail, however, finding no merit, the same was declined after hearing both the sides by learned Court vide order dated 29.07.2025. Aggrieved by the same, the petitioner is before this Court by way of filing of present petition for grant of bail.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail to the petitioner on the basis of parity with that of the co-accused, namely, Hardeep Singh from whom the alleged recovery of 30 grams of heroin has been effected. He submits that the petitioner has been arrayed as an accused in the present case on the basis of disclosure statement of Hardeep Singh, which is not even an admissible evidence. He has drawn the attention of this Court to the order dated 11.08.2025 passed in **CRM-M-42324-2025**, whereby, co-accused Hardeep Singh has been granted regular bail by this Court. He submits that the petitioner is in custody since 29.05.2025. He submits that on the basis of the parity, the petitioner deserves to be granted bail as the case of the petitioner is similar to that of the said co-accused, who has already been granted bail.

4. Learned State counsel has endorsed the factum of grant of bail to the co-accused of the petitioner as stated above and has not denied that the petitioner is at par with the co-accused, namely, Hardeep Singh. She has placed on record the custody certificate of the petitioner.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since 29.05.2025.



CRM-M-48584-2025

-3-

Co-accused, namely, Hardeep Singh is on bail and the case of the petitioner as stated is at par with him. Custody certificate of the petitioner shows that the petitioner has suffered incarceration of 03 months & 03 days as on 04.09.2025. It further reflects that the petitioner is involved in two more cases.

6. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner on the basis of parity. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

7. It is being clarified that in case the petitioner does not furnish bail/surety bonds within a period of one week from today, his custody will not be counted in the present case after one week.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

05.09.2025
sharmila

(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No