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

CRM-M-71421-2025

Date of decision: 23.12.2025

PURAN SINGH**...PETITIONER****VERSUS****STATE OF PUNJAB****...RESPONDENT****CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Ms. Janya Sirohi, Advocate for the petitioner.

Mr. K.D. Sachdeva, DAG, Punjab.

RAJESH BHARDWAJ, J. (ORAL)

1. Petitioner has approached this Court by way of present petitions praying for granting them regular bail in case FIR No.20 dated 16.09.2024, under Sections 21(c)/29 of NDPS Act, 1985 (later on Section 238 of BNS and 39/192 of Moto Vehicle Act, 1988 vide GD No. 20 dated 20.02.2025), Police Station SSOC, Fazilka, District Fazilka, Punjab.

2 Succinctly, facts of the case are that on 16.09.2024, the police party while on patrolling received a secret information to the effect that Puran Singh (present petitioner) and Sukhwinder Singh @ Sukha are involved in smuggling of heroin. It was informed that they have contact with Pakistani smuggler and have smuggled heavy quantity of heroin through drone. It was also informed that they are coming on foot towards their house after taking heroin from border side and in case of barricading, they could be arrested alongwith the contraband. On receiving the secret information, a raiding team was constituted and reached the place as disclosed. Two person were seen coming, out of them one person was holding a polythene bag. On seeing the police, he threw the bag on the ground,

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however, both the persons were apprehended. On asking, they disclosed their names to be Puran Singh (present petitioner) and Sukhwinder Singh @ Sukha . The polythene bag thrown, was searched, in which two bags were found to be containing 500 grams of heroin each. Thus, in total 01 kg of heroin was recovered. They failed to produced any licence regarding the possession of the same, and thus, on registration of the FIR, they were arrested. The investigation commenced. Samples taken were sent to the FSL. On receiving the FSL report, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Judge, Special Court, Fazilka, praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 10.12.2025. Hence, the petitioner has approached this Court praying for grant of regular bail by way of filing the present petition.

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, Sukhwinder Singh @ Sukha. He has drawn the attention of this Court to the order dated 28.11.2025, passed in CRM-M-57711-2025, whereby, co-accused Sukhwinder Singh @ Sukha has been granted regular bail by this Court. He submits that the petitioner is behind bars since 16.09.2024. 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, Sukhwinder Singh @ Sukha. He has



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taken on record.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since 16.09.2024. Co-accused, namely, Sukhwinder Singh @ Sukha is on bail and the case of the petitioner as stated is at par with him. As submitted before this Court, the petitioner has completed incarceration of about 01 year, 02 months and 29 days and he is not involved in any other case.

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

23.12.2025
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(RAJESH BHARDWAJ)
JUDGE

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