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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-5352-2026

Gurdeep Singh @ Saab

....Petitioner

versus

State of Punjab

....Respondent

Date of Decision: May 15, 2026

Date of Uploading: May 15, 2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Vipul Jindal, Advocate, for the petitioner.

Mr. Adhiraj Singh, AAG, Punjab.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the BNSS, 2023 seeking grant of regular bail to the petitioner, in case FIR No.76 dated 06.05.2025, registered under Sections 21C, 27A, 25 & 29 of the NDPS Act, at Police Station Cantonment, Amritsar.

2. On 23.04.2026, the following order was passed:

“Present petition has been filed under Section 483 of the BNSS, 2023 seeking grant of regular bail to the petitioner, in case FIR No.76 dated 06.05.2025, registered under Sections 21C, 27A, 25 & 29 of the NDPS Act, at Police Station Cantonment, Amritsar.

2. Learned counsel for the petitioner, while espousing to the cause of the petitioner, has argued that requisite grounds of arrest were not supplied to the petitioner and, thus, the petitioner is entitled to grant of bail. To buttress his argument, learned counsel has relied upon the dicta of the Hon'ble Supreme Court in Dr. Rajinder Rajan

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versus Union of India and Dr. Rajinder Rajan versus Union of India and another (arising out of SLP (Crl.) No(s).3326 of 2026 reported as 2026 LiveLaw (SC) 327.

3. Learned State counsel has filed status report by way of an affidavit dated 22.04.2026, in the Court today, which is taken on record. Relevant whereof reads thus:

“15. That in compliance with the order dated 08.04.2026 passed by this Hon’ble High Court, it is respectfully submitted that upon conducting a search in accordance with law, 1 kg and 10 grams of heroin was recovered from the possession of the accused, which falls within the ambit of commercial quantity. It is further most respectfully submitted that at the time of arrest, the accused was duly and forthwith informed of the full particulars of the offence. Grounds of arrest orally and through a written arrest memo, in due compliance with the provisions of law. The arrest cum-intimation memo was prepared at the spot, read over and explained to the accused, and the same was duly signed by him as well as the witnesses. A copy thereof was also furnished to the accused. The copy of the arrest and intimation memo is annexed herewith as Annexure R-1/T.”

4. List for consideration on 15.05.2026.

5. Be taken up in the urgent cause list.

6. Till the next date of hearing, the petitioner is directed to be released on interim regular bail interim regular bail interim regular bail, on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned trial Court/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned trial Court/Duty Magistrate, the petitioner shall remain bound by the following conditions:

- (i) The petitioner shall not mis-use the liberty granted.*
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.*
- (iii) The petitioner shall not absent himself on any date before the trial.*
- (iv) The petitioner shall not commit any offence while on bail.*
- (v) The petitioner shall deposit his passport, if any, with the trial Court.*
- (vi) The petitioner shall give his cellphone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number*

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without prior permission of the trial Court/Ilqa Magistrate.

(vii) *The petitioner shall not in any manner try to delay the trial.*

(viii) *The petitioner shall submit, on the first working day of every month, an affidavit, before the concerned trial Court, to the effect that he has not been involved in commission of any offence after being released on bail. In case the petitioner is found to be involved in any offence after his being enlarged on bail in the present FIR, on the basis of his affidavit or otherwise, the State is mandated to move, forthwith, for cancellation of his bail which plea, but of course, shall be ratiocinated upon merits thereof.*

7. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned trial Court/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.”

2. The arguments raised by learned State counsel and a perusal of the status report filed by way of affidavit of Assistant Commissioner of Police, Detective, Amritsar, indubitably reflects that the requisite grounds of arrest were not supplied to the petitioner. It is further not in dispute that after being enlarged on interim regular bail, vide aforementioned order dated 23.04.2026, the petitioner has not misused the said concession.

3. In view of above, the present petition is allowed and the order dated 23.04.2026 is hereby confirmed. The petitioner shall remain bound by the following conditions:

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cellphone number to the Investigating Officer/SHO of concerned Police Station and

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shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.

- (vii) The petitioner shall not in any manner try to delay the trial.
- (viii) The petitioner shall submit, on the first working day of every month, an affidavit, before the concerned trial Court, to the effect that he has not been involved in commission of any offence after being released on bail. In case the petitioner is found to be involved in any offence after his being enlarged on bail in the present FIR, on the basis of his affidavit or otherwise, the State is mandated to move, forthwith, for cancellation of his bail which plea, but of course, shall be ratiocinated upon merits thereof.

4. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned trial Court/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

5. Ordered accordingly.

6. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

7. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

May 15, 2026

Naveen

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No