



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-16513-2026
Decided on : 02.04.2026

Dilbagh Singh @ Bagga

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Ajay Kumar, Advocate for
Mr. Rishu Mahajan, Advocate
for the petitioner(s).

Mr. Vinay Malhotra, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Dilbagh Singh @ Bagga	95	19.06.2025	21(C)/27(A)/29 of NDPS Act, 1985	Sadar	Amritsar

2. As per case of the prosecution, a secret informer informed the Investigating Officer that Harpreet Singh @ Harpartap Singh Happy, his wife Priyanka and Shilpa w/o Sikander are in the business of sale and purchase of Heroin. The informer further informed that even today, if raid is conducted at the house of Shilpa, all of them can be apprehended with Heroin.

On conducting raid, at the house of Shilpa, it was noticed that



on Diwan Bed, a computer scale with a polythene packet and other small polythene packets were lying over it and noticing the presence of police, Harpreet Singh @ Harpratap Singh Happy picked up the wrapped polythene packet from Diwan Bed with his right hand and when he was about to throw it into the bathroom, was apprehended, while holding his right wrist along with polythene packet.

3. Learned counsel for the petitioner argues that during investigation, it was found that in the packet there was 260 grams of Heroin, which was recovered from accused – Harpreet Singh @ Harpartap Singh Happy alongwith drug money in the shape of cash amount of Rs. 5,200/- from accused – Shilpa. When the aforementioned accused namely Priyanka, Harpreet Singh @ Harpartap Singh Happy and Shilpa had been arrested, on the basis of disclosure statement, two other accused namely Shamsher Singh and Dilbagh Singh @ Bagga (**petitioner herein**) were also involved in this case.

4. Learned counsel further contends that the petitioner has been nominated in the present case solely on the basis of disclosure statements and no incriminating substance has been recovered from his possession. It is further submitted that the petitioner is inside the jail since 29.09.2025, i.e., for a period of about 06 months and 03 days, and the conclusion of trial is likely to take considerable time.

It is also contended that co-accused, namely, Gurmel Singh @ Gurmail Singh @ Ghela and Priyanka, who are similarly situated, have already been granted concession of regular bail by this Court vide common order dated 27.01.2026 passed in CRM-M-73859-2025 and connected cases



(**Annexure P-3**). Thus, on the ground of parity as well, the petitioner seeks grant of regular bail.

5. On the other hand, learned State counsel has filed the custody certificate dated 01.04.2026, in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

6. Learned State counsel, while vehemently opposing the prayer for bail, submits that the present case involves recovery of commercial quantity of heroin. Further submits that although no recovery has been effected from the petitioner, however, he has been specifically named during the course of investigation on the basis of disclosure statements of the co-accused.

However, it is not disputed by learned State counsel that petitioner is inside the jail since 29.09.2025 and that co-accused Gurmel Singh @ Ghela and Priyanka have already been granted concession of regular bail by this Court.

7. I have heard learned counsel for the parties and have perused the material available on record.

8. At this stage, without commenting upon the merits of the case, it is noticed that the petitioner has been nominated in the present case on the basis of disclosure statements and no recovery of any contraband has been effected from his possession.

It is also a matter of record that co-accused Gurmel Singh @ Ghela and Priyanka, who are similarly situated, have already been granted concession of regular bail by this Court. Thus, the case of the present



petitioner stands on a similar footing and deserves consideration on the ground of parity.

It is further not disputed that the petitioner is inside the jail since 29.09.2025, i.e., for a period of about 06 months and 03 days, and the trial is likely to take considerable time to conclude.

9. In view the totality of the facts and circumstances, particularly the principle of parity, the nature of allegations, and the period of incarceration already undergone, and without expressing any opinion on the merits of the case, this Court deems it a fit case for grant of concession of regular bail to the petitioner.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

10. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

11. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

12. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.



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13. Petition stands **disposed of**.

Misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

April 02, 2026
J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*