

2026.PHHC.053982



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**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

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CRM-M-17642-2026 (O & M)

Date of decision: 08.04.2026

GURRAJ SINGH ALIAS HAPPY

....Petitioner

Versus

STATE OF PUNJAB

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Rahul Kadian, Advocate,
for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 BNSS is for grant of regular bail to the petitioner in case FIR No.75 dated 27.04.2025, registered under Sections 18, 21, 27-A and 29 NDPS Act, Section 52-A of Prison Act, Section 25 of the Arms Act, Section 7 of PC Act and Section 111(2) of BNS, at Police Station City-I, District Sangrur.

2. Learned Senior Counsel contends that the petitioner has been in custody for about 11 months. He alleges false implication. His name surfaced based on disclosure statements of co-accused Gurwinder Singh and Lovejeet Singh, who are in custody. There is no recovery effected from the petitioner and no evidence has also emerged to connect him to the case, but for the aforesaid disclosure statement, which is inadmissible

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in the eyes of law as per the judgment passed by Hon'ble the Supreme Court in the case of **Tofan Singh vs. State of Tamil Nadu**, 2021 (1) RCR (Crl.) 1. Similarly circumstanced co-accused, including Gurpreet Singh, DSP, have since been granted bail by this Court, vide orders, Annexures P-3 to P-9, after being in custody for 3 to 6 months. Charges have been framed on 12.12.2025 however, only 1 PW stands examined and there are still 45 more to go. He is involved in 3 more cases in 1 of which he is on bail and in another, his sentence stands suspended. Reliance is placed on the judgment of Hon'ble the Supreme Court in **Maulana Mohd. Amir Rashadi vs. State of U.P. and others**, 2012(2) SCC 382.

3. Learned State counsel opposes the bail on the ground that there are specific allegations against the petitioner by the co-accused of having supplied the intoxicants and mobile. He is, however, unable to controvert the submissions with regard to stage of the case; the petitioner being on bail in 1 case and his sentence having been suspended in another and the co-accused stands enlarged on bail.

4. Heard.

5. Hon'ble The Supreme Court in the case of **Maulana Mohd. Amir Rashadi** (Supra) had held that, "As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court, etc." Reiterating in **Prabhakar Tewari vs.**

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State of UP and another, (2020) 11 SCC 648, it was observed that, “The offence alleged no doubt is grave and serious and there are several criminal cases pending against the accused. These factors by themselves cannot be the basis for refusal of prayer for bail.”

6. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 10 months and 24 days; on bail in one case; co-accused are on bail; charges have been framed on 12.12.2025 but out of 46 PWs, only 1 has been examined; trial is likely to take a considerable time, thus his further incarceration would not serve any useful purpose, the present petition for grant of regular bail deserves to be allowed.

7. As a result, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned and subject to his not being required in any other case. The petitioner shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or

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tamper with the evidence in any manner.

- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number to the Trial Court forthwith and shall not change the same till the conclusion of the trial and in case for any reason, the petitioner seeks to change any of the aforesaid, the same shall be done only with prior intimation to the learned Trial Court, stating the reason for the same.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

9. In view of the above, it is clarified that the observations made herein are limited for the purpose of present proceedings and would not be construed as an opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

08.04.2026

parveen kumar

(AMAN CHAUDHARY)
JUDGE

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