



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

248

**CRM-M No.20725 of 2026
Date of decision : 23.4.2026
Date of uploading : 24.4.2026**

Davinder Singh @ Dariya

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Davinder Singh Saini, Advocate, for the petitioner

Mr. Baljinder Singh Sra, Addl. AG, Punjab

SUMEET GOEL, J. (ORAL)

1. This is a petition for regular bail filed under Section 483 of BNSS for grant of regular bail to the petitioner in case FIR No.147 dated 18.09.2025 under Sections 21, 29, 27-A of the NDPS Act, registered at Police Station Doraha, Police District Khanna, District Ludhiana.

2. As per the case of the prosecution, on 18.09.2025, the police party was on routine patrolling duty for checking of suspicious persons in front of MB Chicken Market, G.T. Road, Doraha. Where they apprehended accused Gurlal Singh @ Gora with 300 grams of heroin was allegedly recovered from his possession. During investigation, on the basis of the disclosure statement of Gurlal Singh @ Gora, accused Mohd. Irsad, Davinder Singh and Lovepreet Singh were nominated on 19.09.2025. Accused Davinder Singh was arrested on 20.09.2025 and 705



grams of heroin was allegedly recovered from him. Thereafter, accused Mohd. Irsad was arrested on 21.09.2025 accused Lovepreet Singh @ Lavi was arrested on 24.09.2025 and he disclosed the name of Roop Singh, Jagga Singh, Tejveer Singh and 271 grams of heroin was recovered from them. Accused-Lovepreet Singh also disclosed that he used to contact co-accused Gurlal Singh through his mobile and also stated that Kashmir Giri and Dinkar Kalia @ Shenty Kalia used to buy heroin from him. On his disclosure statement, Dinkar Kalia @ Shenty Kalia was nominated in the present case. On 26.09.2025, Dinkar Kalia @ Shenty Kalia, Vicky and Gulshan @ Gucchi and Vicky were arrested from a car bearing registration No. PB-26K-4051 and 30 grams of heroin was allegedly recovered from their possession.

3. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case as he was not named in the FIR. He further submits that he has been nominated only on the basis of disclosure statement made by the co-accused, which is inadmissible in evidence. It is argued that the alleged recovery falls within the ambit of non-commercial quantity. He further submits that the petitioner is in custody since 20.9.2025.

4. Learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the allegations against the petitioner are serious. He has filed the custody certificate of the petitioner in Court today and the same is taken on record. As per the custody certificate, the petitioner has been in custody for the last 7 months



& is not shown to be involved in any other case/FIR(s).

5. I have heard the submissions made by the parties and gone through the record.

6. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case and the fact that the trial is yet to commence and it will take a considerable time to conclude, no useful purpose would be served for further incarceration of the petitioner. As the petitioner is in custody for the last 6 months and 30 days; continuous detention of the petitioner would not serve the ends of justice. Moreover, bail is rule and jail is exception. Hence, this Court deems it appropriate to grant the concession of regular bail to the petitioner during the pendency of the trial. Accordingly, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on 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 without prior permission of the trial Court/Illaq 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.

8. 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.

9. Ordered accordingly.

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

(SUMEET GOEL)
JUDGE

23.4.2026

Ashwani

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No