

2026:PHHC:065729



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

224

CRM-M-22808-2026
Date of decision: 29.04.2026

GURPREET SINGH @ GOPI

... Petitioner

VERSUS

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY.

Present : Mr. Mudit Johar, Advocate
for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petitions filed under Section 483 of BNSS, 2023, is for grant of regular bail to the petitioner in case FIR No.75 dated 27.04.2025, under Sections 18 of the NDPS Act, 1985 and Section 52-A of the Prisons Act, 1894 (Charges framed under Sections 18, 21, 27A and 29/61/85 of the NDPS Act, Section 25/54/59 of Arms Act, Section 52A of Prisons Act, Section 7 of PC Act and 111(2) of the BNS, 2023) registered at Police Station City-I, District Sangrur Punjab.

2. Learned counsel contends that the petitioner is in custody for the last 06 months and 17 days. The name of the petitioner surfaced in the present case based upon the disclosure statement of co-accused Gurchet Singh, who stated that the mobile SIM recovered from him was sold to him by the petitioner herein. Said co-accused has already been granted regular bail by this Court vide

order dated 15.11.2025 after being in custody for 06 months 21 days and he was also involved in 10 more cases. Co-accused namely Bansa Bai, Prasanta Mazumdar, Aman Kumar @ Mani have also been granted bail after being in custody for the similar period, besides the 08 more. No recovery has been effected from the petitioner either of any contraband or mobile phone etc. Challan has already been presented before the trial Court on 06.04.2026, charges are yet to be framed and in all there are 46 prosecution witnesses; he is involved in 15 more cases, out of which he has been convicted and undergone in three cases; acquitted in one; on bail in two cases and remaining cases are still pending wherein he is in custody. Reliance is placed on the judgment passed by Hon'ble the Supreme Court titled as **Maulana Mohd. Amir Rashadi Vs. State of U.P.** and others, 2010(2) SCC 382.

3. Notice of motion.

4. Learned State Counsel opposes the bail on the ground that petitioner is a habitual offender as he is involved in 15 more cases. However, he is unable to controvert the submissions with regard to stage of the case, co-accused having been granted bail and the petitioner being on bail in few cases.

5. Heard.

6. 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. 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."

7. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 06 months and 17 days; co-accused persons having been granted regular bail; charges having not been framed and there being 46 prosecution witness in all; the trial is likely to take a considerable time and further incarceration of the petitioner would be violative of their right enshrined under Article 21 of the Constitution of India.

8. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds/surety to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case

9. 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.

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

(AMAN CHAUDHARY)
JUDGE

29.04.2026
Rajender

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