



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-25733-2025
Decided on : 22.01.2026

KHUSHPREET SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Veer Vikram Singh Mann, Advocate,
for the petitioner.

Mr. R.S. Lekhi, AAG, Punjab.

SANJAY VASHISTH, J.

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 hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Khushpreet Singh, aged about 25 years	01	02.01.2022	21/61/85 of NDPS Act and 473, 201, 212 and 216 of IPC	Sadar Rajpura	Patiala

2. Learned counsel for the petitioner contends that on the basis of secret information regarding the alleged involvement of accused Khushpreet Singh, Mandeep Singh and Tejinder Singh in illegal



activities, i.e. sale of intoxicant powder while travelling in a Swift car, bearing registration No.HR-41-J-1062, FIR in question was registered even prior to effecting any actual recovery.

As per the case of prosecution, during the course of investigation, while the aforesaid vehicle was intercepted by laying a *naka*, a recovery of 350 grams of heroin and 200 grams of intoxicant powder containing Diphenoxylate Hydrochloride and Tramadol Hydrochloride was allegedly effected from the place near gear box.

3. Learned counsel submits that the recovery is a joint recovery attributed to all the three accused. Therefore, case of the present petitioner deserves consideration for grant of bail on the ground of parity, particularly when similarly situated co-accused have already been granted bail.

4. In this regard, it is pointed out that co-accused Tejinder Singh has been released on bail by this Court, vide order dated 12.11.2024 passed in CRM-M-53555-2024 (Annexure P-3), and co-accused Mandeep Singh has also been extended the concession of bail by this Court, vide order dated 17.07.2025 passed in CRM-M-26113-2025.

It is further submitted that petitioner is in judicial custody since 02.01.2022, i.e., for a period of about 4 years and 20 days. Thus, counsel prays for grant of regular bail to the petitioner in the present case.

5. On advance notice and in response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 21.01.2026 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.

As per the custody certificate, in the present case, petitioner has already undergone 04 years and 09 days period inside jail.

6. While opposing the grant of bail to the petitioner, learned State counsel submits that petitioner is a habitual offender, as he is allegedly involved in as many as 25 other criminal cases. However, learned State counsel is unable to dispute the factual assertions advanced by learned counsel for the petitioner during the course of arguments before this Court. Nevertheless, he prays for dismissal of the present petition.

7. This Court has heard the submissions addressed by learned counsel for the parties and has perused the record available before it.

8. Admittedly, all the three accused in the present case were travelling in the same car, and the contraband recovered was lying near the gear box. It is also a matter of record that the first bail petition filed by the petitioner was dismissed, vide order dated 31.01.2024 passed in CRM-M-44995-2023 (Annexure P-2). The said petition was dismissed by the Co-ordinate Bench of this Court, primarily taking note of the petitioner's involvement in several other criminal cases, including one under Section 307 IPC.

However, subsequent to the dismissal of the petitioner's first bail petition, co-accused, namely Tejinder Singh and Mandeep Singh, have been granted the concession of bail by the Court. In view thereof,



this Court finds no hesitation in entertaining the present petition seeking regular bail on the ground of parity.

9. At this stage, on a specific query by the Court, learned State counsel has informed that out of total 22 prosecution witnesses, only 11 have been examined, till date. Petitioner has remained in judicial custody for the last about four years. Thus, his continued incarceration without the trial being concluded within a reasonable time would not be justified.

10. From the affidavit of Vikas Sabharwal, PPS, Assistant Inspector General of Police, Investigation (Litigation), Bureau of Investigation, dated 19.01.2026, it is evident that petitioner is involved in total 25 criminal cases. However, it is also not disputed that he has not been convicted in any of those cases, except in FIR No.03 dated 04.01.2022 under Section 324 IPC. At the same time, this Court cannot ignore the fact that co-accused Mandeep Singh, who is stated to be involved in about 10 criminal cases, has already been granted bail.

11. Merely on the basis of multiple criminal cases registered against the petitioner, denial of bail—which is a discretionary relief—cannot be justified, particularly when the petitioner has already undergone incarceration for a substantial period of about four years.

12. In view of the totality of the circumstances, nature of the allegations levelled against the petitioner, period of incarceration already undergone by him, and the factors noticed here above, this Court deems it appropriate to grant the 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



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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.

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

14. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

15. 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.

16. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

22.01.2026

Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO