



CRM-M-27002-2026

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

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**CRM-M-27002-2026
Date of Decision: 18.05.2026**

RASHPAL SINGH @ TOTA**... PETITIONER****VERSUS****STATE OF PUNJAB****... RESPONDENT****CORAM : HON'BLE MR. JUSTICE H.S.GREWAL**

Present:- Mr. Kushagra Mahajan, Advocate for the petitioner.

H.S. Grewal, J.(Oral)

1. This petition has been filed under section 483 B.N.S.S. (earlier 439 Cr.P.C.) for grant of regular bail in case FIR No. 59 dated 09.03.2026 under Sections 22,27(A) of NDPS Act and Section 29 NDPS Act added later on registered at Police Station- Jandiala District Amritsar.
2. The case of the prosecution is that on 09.03.2026, a police party was present near the bridge over canal at the outskirts of village Wadala Johal, when Happy @ Arsh along with co-accused Gurjant Singh were apprehended while travelling in a Swift car bearing registration No. PB02DJ8432. It is alleged that from the conscious possession of the Happy @ Arsh 104 loose tablets of alleged intoxicant was recovered and from co-accused Gurjant Singh, an amount of Rs.700/- was recovered, alleged to be drug money. During investigation, disclosure statements of the co-accused were recorded, wherein it



was disclosed that the intoxicating tablets recovered from their possession were purchased by them from the petitioner.

3. Learned counsel for the petitioner submits that the petitioner has not been named in the FIR and has been nominated solely on the basis of the disclosure statement of co-accused, which is not admissible in evidence against him. He further submits that nothing has been recovered from the possession of the petitioner. He further submits that co-accused have already been granted concession of regular bail by this Court. It is further submitted that the petitioner is in custody since 10.03.2026 and prays for grant of regular bail.

4. Notice of motion.

5. Mr. Sandeep Kumar, DAG, Punjab, accepts notice on behalf of the respondent-State and has vehemently opposed the prayer for grant of regular bail on the ground that the allegations against the petitioner are serious in nature. He has filed the custody certificate of the petitioner in Court today, which is taken on record. As per the custody certificate, the petitioner has been in custody for the last 02 months and 06 days and is not involved in any other case under NDPS Act.

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

7. After hearing the rival contentions and considering the fact that in the case in hand, the petitioner is in custody for the last 02 months and 06 days; apart from the disclosure statement, there is no other substantive evidence to connect the petitioner with the recovery effected from the co-accused and coupled with the fact that the trial is likely to take considerable



time, this Court is of the view that no useful purpose would be served by further incarceration of the petitioner. Accordingly, the petitioner is granted the concession of regular bail during the pendency of the trial.

8. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

9. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

10. It is clarified that if while on bail so granted through the instant order, the petitioner is found indulged in any other criminal case/activity, it shall be open to the State to seek cancellation of his bail.

18.05.2026
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(H.S.GREWAL)
JUDGE

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