



CRM-M-29160-2026

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

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CRM-M-29160-2026

Date of decision : 26.05.2026

IQBAL SINGH @ PALA

... PETITIONER

Versus

STATE OF PUNJAB

.. RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Kuldeep Singh Ahluwalia, Advocate and
Ms. Jaspreet Kaur, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

H.S. Grewal, J.(Oral)

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (erstwhile Section 439 Cr.P.C.) seeking regular bail to the petitioner in case FIR No.209 dated 26.12.2019, under Sections 21/22/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Kartarpur, District Jalandhar.

2. The case of the prosecution is that co-accused Gaurav Chauhan and Sanjeev Kumar @ Pamma were apprehended from whom recovery of 1 ½ kgs. of heroin was allegedly effected. During the course of investigation, the co-accused Gaurav Chauhan suffered disclosure statements and in the third disclosure statement, he named the petitioner from whom the alleged contraband was purchased.

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3. Learned counsel for the petitioner, however, submits that the petitioner was not named in the FIR and was arraigned as an accused only on the basis of third disclosure statement of co-accused Gaurav Chauhan. Besides the disclosure statement, there is no incriminating material regarding any call details, money trail etc. qua the petitioner which would connect him with the alleged offence and no recovery has been effected from him. It is further submitted that the disclosure statements allegedly suffered by the co-accused during police custody are not admissible in evidence unless duly corroborated by independent material. He further submits that the petitioner is in custody for the last more than 10 months and 15 days. Although the petitioner is involved in other criminal cases but none of them pertains to offence under the NDPS Act. He also submits that co-accused(s) Balraj Singh @ Raju Katta, Gurjant Singh @ Bholu and Gourav Chauhan have already been granted bail by the Coordinate Benches of this Court. He has referred to the copies of the orders at Annexures P-5 to P-7 respectively. He, therefore, prays for release of the petitioner on regular bail as the trial qua the petitioner is likely to take a long time as none of the prosecution witnesses has been examined so far.

4. Notice of motion.

5. On the asking of the Court, Mr. Sandeep Kumar, DAG, Punjab, accepts notice on behalf of the respondent and vehemently opposes the prayer for grant of regular bail to the petitioner. He has filed the custody certificate of the petitioner in Court, which is taken on record. As per the custody certificate, the petitioner is in custody for the last more than 10 months and 15 days. He,

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upon instructions, submits that none of the prosecution witnesses has been examined so far.

6. I have heard the learned counsel for the parties and perused the record.

7. In view of the above submissions of learned counsel for the parties and keeping in view the facts that the petitioner is in custody for the last more than 10 months and 15 days, he is not involved in any other case under the NDPS Act, no recovery has been effected from him, co-accused(s) have already been granted bail and that the trial is likely to take a long time to conclude as none of the prosecution witnesses has been examined so far, therefore, this Court deems it appropriate to grant the concession of regular bail to the petitioner during the pendency of the trial as the continuous detention of the petitioner would not serve the ends of justice.

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 bonds, surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. However, it is made clear that in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of his bail.

May 26, 2026
Sonia

(H.S.GREWAL)
JUDGE

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