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

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Date of Decision: 25.03.2026

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

Present:- Mr. H.S.Sandhu, Advocate for the petitioner.

Mr. P.S.Pandher, Asst. A.G.Punjab.

H.S. Grewal, J.(Oral)

1. This petition has been filed under Section 483 of the BNSS, 2023 for grant of regular bail to the petitioner in FIR No. 15 dated 15.02.2025 under Section 21-C of NDPS Act, Sections 10,11,12 of Aircraft Act, 1934 registered at Police Station Khalra, District Tarn Taran, Punjab.
2. The case of the prosecution is that 995 grams of heroin was recovered from a field near the border, from where the petitioner was apprehended.
3. Learned counsel for the petitioner submits that the petitioner is a juvenile, aged about 17 years, and has been falsely implicated in the present case. It is contended that there is no cogent evidence connecting the juvenile with the alleged offence, as no call detail records or other material have been collected to establish his involvement. It is further argued that the alleged

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recovery has been falsely planted upon the petitioner, who is in custody since 15.02.2025.

4. On the other hand, learned State counsel has vehemently opposed the prayer for grant of regular bail on the ground that the petitioner has actively participated in the offence and was apprehended by the BSF officials. It is submitted that the petitioner is in custody for the last 1 year and 1 month and is not involved in any other case. Challan has been presented and charges are yet to be framed.

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

6. After hearing the rival contentions and considering that the petitioner is in custody for the last 1 year and 1 month, is not involved in any other case, and that it is yet to be established whether the petitioner was in conscious possession of the contraband recovered from the field, coupled with the fact that the trial is yet to commence and 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.

7. 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.



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

25.03.2026
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(H.S.GREWAL)
JUDGE

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