



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

(217)

CRM-M-32094-2026 (O&M)

Date of Decision: **02.07.2026**

BALWINDER SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

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CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. B.D. Sharma, Advocate
for the petitioner.

Ms. Navreet Kaur, AAG, Punjab.

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VIRINDER AGGARWAL, J. (Oral)

1. The present is the first petition instituted under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 439 of the Code of Criminal Procedure, 1973), seeking the concession of regular bail in connection with FIR No.298 dated 14.11.2025 (Annexure P-1), registered under Sections 21, 27-A and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Jandiala, District Amritsar Rural.

2. Briefly stated, the prosecution case is that, as per the statement of ASI Balkar Singh, the Investigating Officer, on 14.11.2025, at about 10:30–11:00 p.m., accused Gurjinder Singh @ Ghugi, son of Jagtar Singh, was apprehended near the canal bridge on the outskirts of village Janian, within the jurisdiction of Police Station Jandiala, District Amritsar Rural, while allegedly in conscious possession of 9.50 grams of heroin and



₹1,000/-, purportedly being the proceeds of the sale of narcotic substances.

During interrogation, the said accused allegedly disclosed that he had sold 2 grams of heroin to Gaurav Kumar, after procuring the contraband from Kaka Bhalla @ Balwinder Singh, whereupon both were nominated as accused under Section 29 of the NDPS Act. Gaurav Kumar was subsequently arrested and allegedly disclosed that he had consumed 1 gram of heroin and sold the remaining 1 gram to an unknown person. During the course of investigation, the Investigating Officer formed an opinion that the accused persons were engaged in financing and facilitating the illicit trafficking of narcotic drugs and psychotropic substances, thereby attracting the provisions of Section 27-A of the NDPS Act, and concluded that they were involved in an organized narcotic trafficking network operating in the area.

3. Learned State counsel has produced the custody certificate of the petitioner in Court today. The same is taken on record, subject to all just exceptions.

4. I have heard the learned counsel for the parties at considerable length and have carefully perused the paper book, with their able assistance.

5. It is not disputed that the applicant-accused is not named in the FIR and has been implicated solely on the basis of the disclosure statement allegedly made by a co-accused. Admittedly, no recovery has been effected from the applicant-accused, whereas the recovery effected from the co-accused is of an intermediate quantity. The applicant-accused has remained in judicial custody since 26.03.2026. The investigation qua him



stands concluded and, therefore, his further custodial interrogation is no longer required. Furthermore, the trial is not likely to conclude in the near future and is expected to consume considerable time before reaching its logical conclusion. In such circumstances, no useful purpose would be served by prolonging his incarceration during the pendency of the trial.

5.1. Consequently, without expressing any opinion on the merits of the case, the present petition is allowed. The applicant-accused is ordered to be released on regular bail, subject to his furnishing requisite bail and surety bonds to the satisfaction of the learned Chief Judicial Magistrate concerned/Illaqa Magistrate/Duty Magistrate, as the case may be, and further subject to the following conditions:-

1. The applicant-accused shall not, directly or indirectly, make any inducement, threat, or promise to any person acquainted with the facts and circumstances of the case so as to dissuade such person from disclosing such facts before the Court or to the investigating agency.
2. The applicant-accused shall not tamper with the prosecution evidence in any manner whatsoever, nor shall he attempt, directly or indirectly, to influence, intimidate, or contact any prosecution witness.
3. The applicant-accused shall not leave the territorial limits of India without obtaining the prior permission of the learned Trial Court. In the event he is in possession of a passport, he shall furnish its particulars before the Investigating Officer as well as the learned Trial Court.
4. The learned Illaqa Magistrate/Duty Magistrate, before accepting the bail and surety bonds, shall obtain from the applicant-accused his permanent residential address as well as his present



correspondence address, duly supported by appropriate documentary proof. The Investigating Officer shall verify the correctness of the said addresses within 48 hours from the acceptance of the bail bonds and shall place a verification report on the record. In the event either of the addresses is found to be false, fictitious, or incorrect, it shall be open to the prosecution to seek cancellation of the concession of bail in accordance with law.

5. The applicant-accused shall furnish before the learned Trial Court, either at the time of furnishing the bail bonds or within such period as may be specified by the Court, his Permanent Account Number (PAN), Aadhaar Number, particulars of all operative bank accounts, and a declaration disclosing details of his immovable properties, if any. Any concealment of material particulars or furnishing of false information shall constitute a valid ground for seeking cancellation of bail in accordance with law.
6. The applicant-accused shall intimate the Investigating Officer as well as the learned Trial Court, in writing, of any change in his residential address or mobile number within seven days from the date of such change.
7. The applicant-accused shall not commit any offence of a similar nature during the pendency of the trial and shall remain present before the learned Trial Court on each and every date fixed, unless his personal appearance is exempted in accordance with law. He shall not absent himself from the proceedings without obtaining prior permission of the learned Trial Court. In the event of any violation of the aforesaid conditions or his unauthorized absence from the trial proceedings, it shall be open to the learned Trial Court to proceed in accordance with law, including cancellation of



the concession of regular bail and issuance of appropriate coercive process, including warrants of arrest.

6. Consequent upon the final adjudication of the principal matter, all pending miscellaneous applications, if any, arising out of or connected with the present proceedings, shall also stand disposed of accordingly. No further or separate orders are required to be passed in respect of such applications.

02.07.2026
Gaurav Sorot

(VIRINDER AGGARWAL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No