



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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1) CRM-M-43708-2025
Decided on : 22.01.2026

Tarlok Singh . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)

2) CRM-M-45300-2025

Gurpreet Singh @ Gora . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. G.B.S. Dhillon, Sr. Advocate with
Ms. Jasmeen Kaur, Advocate,
for the petitioner(s) (in CRM-M-43708-2025).

Mr. L.S. Sekhon, Advocate and
Ms. Nitika Sharma Sekhon, Advocate
for the petitioner(s) (in CRM-M-45300-2025).

Mr. Ravneet Singh Lekhi, AAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. This order shall dispose of CRM-M-43708-2025 & CRM-M-45300-2025, as both the petitions are interconnected and have arisen out of same FIR. However, the lead case is CRM-M-43708-2025.
2. The instant petitions have been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioners, during the pendency of trial, who have been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Tarlok Singh (petitioner in CRM-M-43708-2025)	57	11.03.2025	27(a), 25, 28, 29, 30 of NDPS Act	City Tarn Taran	Tarn Taran
Gurpreet Singh @ Gora (petitioner in CRM-M-45300-2025)	57	11.03.2025	21(c), 27(a), 25, 28, 29, 30 of NDPS Act	City Tarn Taran	Tarn Taran

3. A few facts necessary for adjudication of the cases may be noticed.

Prosecution case is that the FIR in the present case was registered on the basis of secret information received against four accused, namely, (i) **Gurpreet Singh @ Gora** (petitioner in CRM-M-45300-2025), (ii) **Tarlok Singh** (petitioner in CRM-M-43708-2025), (iii) **Prince Singh** and (iv) **Amritpal Singh**, alleging that they were indulging in the business of selling ‘heroin’ and earning huge money from the said illegal trade. On receipt of such secret information, the FIR in question was registered without effecting any recovery at that stage. Thereafter, investigation was initiated and all the four accused were allegedly apprehended while travelling on a Splendor motorcycle (without number plate).

As per the remand application dated **11.03.2025**, an amount of **Rs.9,62,470/-** was recovered from the joint possession of the accused persons. During the course of investigation, petitioner **Gurpreet Singh @ Gora** allegedly suffered a disclosure statement naming one more accused, namely ‘**Abhi**’, stating that two pistols had been delivered by him to the said Abhi. Thereupon, Abhi was nominated as an accused on **15.03.2025** and, on his arrest, he allegedly got recovered **1 kg 560 grams of heroin** from his possession.

Subsequently, petitioner **Gurpreet Singh @ Gora** again suffered a disclosure statement and allegedly got recovered **100 grams of heroin** on

17.03.2025.

4. Learned Senior counsel for the petitioners primarily contends that at first stance, no narcotic contraband punishable under the NDPS Act was recovered from the possession of any of the accused persons named in the FIR, including both the petitioners.

It is further submitted that both the petitioners are inside jail for a period of about **10 months and 10 days**, i.e., since the time of their arrest. It is argued that, except the recovery of alleged cash amount and false recovery of 100 grams of 'heroin' from Gurpreet Singh @ Gora, later in time, there is no specific attribution as to from whose personal possession the said money was recovered, and thus, in the absence of any substantial recovery from the petitioners, they cannot be kept behind bars for an indefinite period. Accordingly, prayer has been made for grant of concession of regular bail to the petitioners.

5. On the other hand, learned State counsel has filed two separate custody certificates dated **21.01.2026** in Court today, which are taken on record. Office to tag the same at appropriate place.

Copies thereof have been handed over to the respective learned counsel for the petitioners.

6. Learned State counsel, while vehemently opposing the prayer for bail, submits that the petitioners have links with hardcore criminals, who are indulging in illegal activities, even across the border. However, learned State counsel is unable to point out any specific material on record, at this stage, to show that the petitioners were directly connected with the contraband allegedly recovered during the course of investigation. Other factual assertions addressed by learned counsel for the petitioners have also

not been disputed.

7. I have heard learned counsel for the parties and perused the material available on record.

8. It is noticed that as per prosecution version, co-accused Abhi was nominated on the basis of disclosure statement of petitioner Gurpreet Singh @ Gora. The alleged recovery of 1 kg 560 grams heroin has been shown from the possession of co-accused Abhi, whereas the petitioners herein are not shown to be in possession of any such contraband at the time of their apprehension. Whether the said alleged recovery can be connected with the petitioners and whether they were in conscious possession, directly or indirectly, would be a moot question, to be determined by the trial Court during the course of trial on the basis of evidence led by the prosecution. At this stage, such an inference cannot be drawn conclusively.

Further, as per custody certificates, petitioner Tarlok Singh (in CRM-M-43708-2025) is not shown to be involved in any other criminal case under the NDPS Act. As regards petitioner Gurpreet Singh @ Gora (in CRM-M-45300-2025), he is shown to be involved in one more case under the NDPS Act, pertaining to the year 2013, in which he was granted bail on 02.06.2014.

9. Considering the totality of circumstances, including the custody period already undergone by the petitioners, the stage of proceedings, and the fact that the trial is likely to take considerable time in its culmination, further incarceration of the petitioners for an indefinite period is not warranted. Accordingly, while keeping in view the period of custody already undergone and antecedents of the petitioners, this Court deems it appropriate to grant the concession of regular bail to the petitioners.

Consequently, prayer made in the present petitions are **allowed**.

Petitioners are ordered to be released on bail, subject to their furnishing 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.

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

11. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

12. It is further made clear that if, in future, petitioners are directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

Petitions stand disposed of.

Pending misc. application(s), if any, also stand disposed of.

Photocopy of this order be placed on the file of other connected case.

(SANJAY VASHISTH)
JUDGE

January 22, 2026
J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*