



CRM-M-54280-20251

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-54280-2025
Decided on : 16.02.2026

GURSEWAK SINGH ALIAS SEBI
.....Petitioner
Versus
STATE OF HARYANA
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sauhard Singh, Advocate,
for the petitioner.

Mr. Pawan Kumar Jhanda, Sr. DAG, Haryana.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Gursewak Singh @ Sebi, aged about 32 years	13	11.01.2025	15-C (sections 29, 29(1) added later on) of NDPS Act	Sadar Pehowa	Kurukshetra

2. Learned counsel for the petitioner submits that petitioner, being the owner-cum-driver of the truck, bearing registration No.PB-23T-4945, was apprehended while travelling from Jharkhand/Bihar to Punjab



on NH-152. It is alleged that a total recovery of 101 kg 87 grams of poppy husk was effected from the rear body of the said truck.

3. Counsel for the petitioner submits that petitioner is 32 years of age and has never been found involved in any other similar offence in the past. The primary issue in the present case is whether petitioner had any knowledge, or was in conscious possession of, the alleged contraband being transported in his truck, at the time of the alleged recovery on NH-152. It is contended that a false case has been planted against the petitioner merely on the basis of secret information. It is further alleged that a *naka* was set up and, without effecting any genuine recovery, FIR was registered against the petitioner.

It is further submitted that petitioner is in judicial custody since 11.01.2025, i.e., for a period of one year and 23 days. Charges have already been framed in the case. However, out of total 33 prosecution witnesses, none has been examined, till date. Therefore, conclusion of the trial is likely to take considerable time. Thus, counsel prays for grant of regular bail to the petitioner in the present case.

4. In response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 14.02.2026 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 01 year and 23 days period inside jail and there is no other case registered against him.



5. Learned State counsel, while opposing the present petition, is unable to controvert the factual assertions made by learned counsel for the petitioner before this Court, particularly with regard to the period of incarceration already undergone by the petitioner and the present stage of the trial. However, he nevertheless prays for dismissal of the present petition.

6. This Court has heard the submissions addressed by learned counsel for the parties and has perused the record available before it.

7. Undoubtedly, petitioner is in judicial custody since 11.01.2025, i.e., for a period of one year and 23 days. Charges in the present case have already been framed. However, out of total 33 prosecution witnesses, none has been examined, till date. Consequently, conclusion of the trial is likely to take considerable time.

Furthermore, petitioner, aged 32 years, has not been shown to be involved in any other criminal activity in the past. In these circumstances, petitioner deserves an opportunity to reform and reintegrate into society.

8. Considering the totality of the circumstances, nature of the allegations levelled against the petitioner, and the factors noticed here above, this Court deems it appropriate to grant the concession of regular bail to the petitioner in the present case.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief



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Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

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

10. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

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

12. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

16.02.2026
Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO