



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-56565-2025
Decided on : 09.03.2026

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

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Raghav Soni, Advocate, for the petitioner(s).

Mr. Vinay Malhotra, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

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 here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Gurpreet Singh @ Gopi	168	06.11.2024	21-C, 29, 61, 85 of NDPS Act, 1985	STF	SAS Nagar (Mohali)

2. As per case of the prosecution, one secret informant informed that Gurpreet Singh @ Gopi (petitioner herein) and Harpreet Singh @ Harry are in the illegal business of selling Heroin and if raid is conducted they both can be apprehended red handed on their Motorcycle No. PB02-EW-7541 with large quantity of Heroin. On being intercepted both the accused were nabbed and thereon from the front right pocket of blue colored pajama worn by accused/petitioner – Gurpreet Singh @ Gopi, packet of Heroin was recovered which alongwith wax envelop weighed as 263 gms of Heroin.

Similarly from the right pocket of black jeans worn by co-



accused – Harpreet Singh @ Harry, another packet in a transparent envelop 257 gms of Heroin was recovered. Thus, total 520 gms of Heroin was recovered from both the accused.

3. Learned counsel for the petitioner argues that only 137 gms of Heroin is above the maximum of non-commercial quantity of Heroin, i.e., 250 grams, and it is yet to be ascertained during trial whether the weighing process was in accordance with prescribed norms/regulars or not. Even the weight of the polythene has not been deducted while weighing the contraband.

4. Learned counsel submits that petitioner is in custody since 06.11.2024, i.e., for the last about 01 year, 03 months and 27 days, and has no prior involvement in any offence punishable under the NDPS Act.

Attention is drawn to the fact that co-accused ‘Harpreet Singh @ Harry’, who is on similar footings, has already been granted the concession of regular bail by this Court vide order dated 26.09.2025 (Annexure P-2) passed in CRM-M-51815-2025, titled *“Harpreet Singh @ Harry v. State of Punjab”*. Accordingly, In view of above mentioned facts and on the ground of parity, prayer has been made for grant of regular bail to the petitioner.

5. On the other hand, learned State counsel has filed custody certificate dated 09.03.2026, 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.

6. Learned State counsel vehemently opposed the prayer of bail. However, he is unable to refute the factual aspects of the case, which have been recorded here-above. However, learned State counsel submits that a substantial



recovery has been effected from the petitioner, i.e., 263 gms of 'Heroin', which falls under the 'commercial' category. Thus, keeping in view the nature of offence and the substantial recovery of narcotic contraband, petitioner is not entitled to the concession of regular bail without first establishing his innocence.

However, he fairly conceded that except present case, petitioner is not found indulged in any other similar activity. He is inside jail for 01 year, 03 months, and 27 days, and till date, out of total cited 18 prosecution witnesses, only 01 witness has been examined.

7. Heard learned counsel for the parties and perused the instant petition. Petitioner is a young individual, aged about 30 years, with clean antecedents and no history of involvement in any other offence punishable under the NDPS Act. In these circumstances, his plea for bail deserves serious consideration.

It is also noticed that the petitioner has already undergone incarceration for a period of more than 01 year and 03 months, and out of total of 18 prosecution witnesses, only 01 witnesses has been examined so far. Therefore, conclusion of the trial is likely to take considerable time. Prolonged pre-trial detention, without the trial reaching its culmination, would seriously prejudice the petitioner's liberty as well as his prospects of rehabilitation. Though the nature of the offence and the recovery being of commercial quantity will require thorough scrutiny during trial, yet keeping in view the petitioner's age, clean antecedents, and the fact that the trial is still at a very early stage as well as the bail granted to the similarly situated co-accused 'Harpreet Singh @ Harry', his continued detention does not appear to be warranted.



8. In view of the totality of these circumstances, and the nature allegations leveled against the petitioner, including the factors noticed here-above, this Court deems it appropriate to grant the concession of bail to the petitioner, so as to afford the petitioner an opportunity to reform and reintegrate himself in the society.

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 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. 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.

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**.

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

(SANJAY VASHISTH)
JUDGE

March 09, 2026

J.Ram

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