



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

123

CRM-M-59767-2025
Decided on : 10.03.2026

Gurdev Singh @ Dhebu . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Parminder Singh Sekhon, Sr. Advocate with
Mr. Rajdeep Singh Gill, Advocate
for the petitioner(s).

Mr. Neeraj Madaan, Sr. 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 FIR Petitioner(s)	No.	Date	Section(s)	Police Station	District
Gurdev Singh @ Dhebu	30	19.05.2024	21, 27-A, 29 of NDPS Act, 1985, 25 of Arms Act, 1959, 120 of IPC, 1860	State Special Operation Cell, Amritsar District Intelligence Wing (CID)	Amritsar

2. The instant case was initially registered against the main accused – Jaswinder Singh alias Kaka, on the basis of secret information received by the police team. As per the said information, accused Jaswinder Singh alias Kaka was alleged to be in contact with one Kasim Dhillon (resident of Pakistan) and other unknown Pakistani smugglers, who were sending a big consignment of weapons through drones and other sources in the area of Khalra of the Indo–Pak Border. Upon the arrest of accused



Jaswinder Singh alias Kaka, his disclosure statement was recorded on 21.05.2024, wherein he disclosed that arms and ammunition were being supplied to accused persons such as Harpal Singh alias Bhallu and Joginder Singh alias Dogar.

3. Learned Senior counsel for the petitioner submits that the petitioner is not named in the FIR and was nominated as an accused only on the basis of disclosure statements of the arrested accused. There is a recovery of 102 grams of heroin from the petitioner and he is in custody since 02.12.2024.

He further submits that a similarly situated co-accused, namely Joginder Singh alias Dogar (who is facing several other criminal cases) and other co-accused, namely, Gautam Partap alias Gannu, have already been granted bail by this Court vide order dated **03.07.2025** passed in CRM-M-51012-2024 (Annexure P-4) and vide order dated **19.05.2025** passed in CRM-M-61131-2024 (Annexure P-3), respectively. It is further submitted that other co-accused, namely Jugraj Singh (CRM-M-42886-2024) has also been granted the concession of regular bails by the Coordinate Bench of this Court vide order dated **24.09.2024** (Annexure P-2).

Apart from this, another co-accused, namely Harpal Singh, has also been granted the same concession of regular bail in the recent past by this Court vide order dated **08.01.2026** passed in CRM-M-42068-2025. A copy of the said order produced by learned Senior Counsel is taken on record.

Accordingly, on the ground of parity, as well as keeping in view that the petitioner's implication primarily rests upon the disclosure statement



of the co-accused, it is prayed that the petitioner also deserves to be extended the same benefit of regular bail.

4. On the other hand, learned State counsel has filed the custody certificate dated 09.03.2026 in Court today, which is taken on record. The Office is directed to tag the same at the appropriate place.

A copy thereof has been handed over to learned counsel for the petitioner.

5. Learned State counsel, while opposing the bail application, submits that the investigation has revealed the petitioner's involvement in the smuggling of narcotic drugs from Pakistan through drones, which is a matter of serious national concern. He submits that such offences threaten public health as well as national security and therefore must be dealt with stringently. However, when questioned, learned State counsel could not point out any specific material collected during the investigation to substantiate the allegation of cross-border drone smuggling or to establish the petitioner's direct role beyond the disclosure statement of the co-accused.

He further submits that, as per the custody certificate, though the petitioner is in custody for a period of about 01 year and 03 months, he is also shown to be involved in two other cases of similar nature. Besides, the other factual assertions, as noticed here-above, have not been disputed by learned State counsel.

6. In response to the submissions of learned State counsel qua the involvement of the petitioner in two other cases under the NDPS Act, learned Senior counsel for the petitioner submits that in both the said cases, i.e., **FIR No.62/2019** registered under Sections 21/29/61/85 of the NDPS Act



at Police Station Sarhali and **FIR No.10/2024** registered under Sections 21-B, 25, 29, 61, 85 of the NDPS Act at Police Station Valtaha, the petitioner has already been granted bail. Thus, as of now, there is no conviction recorded against the petitioner in any of the cases.

7. I have heard learned counsel for the parties and perused the relevant material available on record with their able assistance.

8. Considering the overall facts and circumstances of the case, it is noticed that the petitioner was not named in the FIR and his nomination as an accused has primarily been on the basis of the disclosure statement of the co-accused. Though a recovery of 102 grams of heroin has been effected from the petitioner, the quantity falls within the intermediate range. It is further not disputed that several co-accused, namely, Jugraj Singh, Gautam Partap alias Gannu, Joginder Singh alias Dogar and Harpal Singh, have already been granted the concession of regular bail by this Court and, therefore, petitioner also seeks the benefit of parity. Petitioner is in custody since 02.12.2024 and the trial of the case is likely to take some time to conclude. As regards the involvement of the petitioner in two other cases under the NDPS Act, it is not disputed that the petitioner has already been granted bail in those cases and there is no conviction recorded against him so far. In view of the aforesaid facts and circumstances, but without commenting upon the merits of the case, this Court is of the considered opinion that the petitioner deserves the concession of regular bail.

9. In the given circumstances, continued incarceration of the petitioner for an indefinite period is not warranted, particularly when his role is yet to be established by leading evidence during trial and when similarly situated co-accused have already been granted bail. Accordingly, this Court



deems it appropriate to grant the concession of regular bail to the petitioner.

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.

10. Needless to observe that the petitioner 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, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

13. Petition stands **disposed of**.

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

(SANJAY VASHISTH)
JUDGE

March 10, 2026

J.Ram

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