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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-63770-2025
Decided on : 19.02.2026

Harpal Singh @ Mirza . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Vivek Singla, Advocate,
for the petitioner(s).

Mr. Jasdeep Singh, Addl. AG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Instant fourth 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
Harpal Singh @ Mirza	162	03.10.2023	22, 25 of NDPS Act, 1985 and 188 of IPC [S. 25 of NDPS Act deleted vide Rapat No.21, dated 22.01.2024]	Dhanaula	Barnala

2. Before effecting any actual recovery of contraband or narcotic substance, on the basis of secret information, FIR in question was registered against accused – Sandeep Singh and Harpal Singh @ Mirza (petitioner herein). Thereafter, during investigation, when the police party reached near the gate of an uninhabited colony about 500 meters ahead of the drain situated on Dhanaula to Rajgarh link road, two persons along with a motorcycle were spotted and apprehended. During checking of a plastic



polythene bag lying on the seat of the motorcycle, 900 loose intoxicant tablets were recovered. On being asked, both disclosed their names as Sandeep Singh and Harpal Singh @ Mirza (petitioner herein).

3. First regular bail petition filed by the petitioner, i.e., CRM-M-13816-2024, after arguing for some time, was dismissed as withdrawn on the request of the petitioner vide order dated 21.03.2024 (Annexure P-5).

Thereafter, second bail petition filed by the petitioner, i.e., CRM-M-26726-2024, wherein, after completion of petitioner's counsel arguments, the Court was not inclined to grant concession of bail, same was withdrawn by him, at that stage vide order dated 29.05.2024 (Annexure P-6).

Again, third bail petition was filed by the petitioner vide CRM-M-14410-2025, same was also dismissed as withdrawn vide order dated 29.07.2025 (Annexure P-7) on request of the petitioner's counsel.

Now, instant fourth petition has been preferred by the petitioner for seeking concession of regular bail.

4. Learned counsel for the petitioner argues that in fact, fresh cause of action has accrued to him, because, in the meanwhile, similarly situated co-accused, i.e., Sandeep Singh, has been granted concession of regular bail by this Court vide order dated 27.10.2025 (Annexure P-8), passed in CRM-M-40124-2024, in case tilted as, "*Sandeep Singh v. State of Punjab*".

5. Learned counsel submits that the issue of conscious possession is involved in the present case, i.e., whether the petitioner had knowledge of the said contraband or whether it belonged to the petitioner or the co-accused (who has already been granted bail), and is a matter to be



adjudicated during trial. It is further pointed out that in the case of co-accused Sandeep Singh, challan was submitted on 14.02.2024 and charges were framed on 21.02.2024, and at present, out of total 13 prosecution witnesses, only 04 have been examined so far.

6. On the other hand, learned State counsel has referred to the status report dated 19.01.2026, which is already on record of this file, and same is taken on record. Office to tag the same at the appropriate place. A copy thereof has already been supplied to learned counsel for the petitioner.

7. Learned State counsel, while vehemently opposing the prayer for bail, submits that keeping in view the gravity of the offence, the petitioner does not deserve the concession of bail. However, he fairly concedes the other factual assertions made and noticed here-above.

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

9. Considering the circumstances, which have been discussed by the Coordinate Bench of this Court in the bail order dated 27.10.2025, passed in the case of similarly situated co-accused – Sandeep Singh, this Court deems it appropriate to consider the case of the present petitioner on the same footing, particularly when no distinguishing feature has been pointed out by the State. It is also noticeable that the trial has already commenced and only 04 out of 13 prosecution witnesses have been examined so far, thus, conclusion of trial is likely to take considerable time.

Without commenting on the merits of the case and considering the totality of circumstances, including the principle of parity, this Court finds that further incarceration of the petitioner would not serve any useful



purpose. 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**.

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

(SANJAY VASHISTH)
JUDGE

February 19, 2026

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No