

2026:PHHC:035930



**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

120

CRM-M-65636-2025
Date of Decision: 09.03.2026

GURJANT SINGH

... Petitioner

VERSUS

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL.

Present: Mr. Vipul Jindal, Advocate for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

H.S. GREWAL, J. (ORAL)

This petition has been filed under Section 483 Bharatiya Nagrik Suraksha Sanhita, 2023 seeking regular bail for the petitioner in case FIR No.201 dated 08.11.2023 under Sections 21, 25 and 29 of the NDPS Act, 1985 registered at Police Station Lopoke, District Amritsar Rural.

2. The case of the prosecution is that one Harvinder Singh was apprehended alongwith 1050 grams of heroin and on the basis of his disclosure statement, the present petitioner has been nominated in the present case.

3. Learned Counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He further submits that apart from the disclosure statement there is no other evidence to link the petitioner with the alleged offence and the said disclosure statement alone cannot be made the basis to convict the petitioner. He further submits that the petitioner is in custody for the last 01 year, 04 months and 11 days and out of 19 witnesses, only one has been examined so far. As such, the trial of the case will take a long time to conclude. He thus prays that the petitioner be granted the concession of regular bail.

4. Learned State Counsel vehemently opposes the petition for grant of bail on the ground that the allegations and role attributed to the petitioner in the

commission of the alleged offence are very serious in nature. Hence, he prays for dismissal of the present petition. Custody certificate filed by the State Counsel is taken on record. As per the said certificate, the petitioner is in custody for the last 01 year, 04 months and 11 days.

5. I have heard learned counsel for the parties and perused the record.
6. Keeping in view the facts and circumstances of the case and taking into consideration the fact that the petitioner is in custody for the last 01 year, 04 months and 11 days and that the trial is moving at a very slow place and will take a long time to conclude, this Court is of the opinion that the petition in hand deserves to be allowed. Moreover, bail is rule and jail is exception. Since the continuous incarceration of the petitioner would not serve the ends of justice, therefore, he is entitled to regular bail during the pendency of the trial.
7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.
8. It is clarified that if while on bail so granted through the instant order, the petitioner is found indulging in any other criminal case/activity, it shall be open to the State to seek cancellation of his bail.
9. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

MARCH 09, 2026.
Rajender

(H.S. GREWAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No