

120 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH



CRM-M-68884-2025 (O&M)
Date of Decision: 25.03.2026

GURMEET SINGH @ GURI ... PETITIONER
VERSUS
STATE OF PUNJAB ... RESPONDENT

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

Present:- Mr. Aajeshwar Singh Grewal, Advocate for the petitioner.
(through video conferencing)

Mr. Parneet Singh Pandher, A.A.G., Punjab.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) in FIR No.143 dated 12.09.2025 registered under Sections 21(b)/61/85 of the NDPS Act at Police Station Thermal, District Bathinda

2. The case of the prosecution is that on 12.09.2025, petitioner was apprehended by the Police on suspicion in the area of Thermal Colony, Bathinda as he was seen searching through a polythene bag. On checking the polythene recovered from the accused, 7.70 gms of heroin was found.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is a case of chance recovery. Learned counsel further submits that the petitioner is in custody since 12.09.2025. He, thus, prays for grant of bail to the petitioner.

4. Per contra, learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations.

However, he does not dispute that the petitioner is in custody since 12.09.2025.

He further submits that the petitioner is involved in one more case under NDPS Act.

5. I have heard the learned counsel for the parties and perused the record.

6. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case that it is a case of chance recovery; the contraband recovered from the petitioner is non-commercial in nature; the petitioner is in custody for the last more than 06 months; challan has already been presented and the trial of the case is yet to commence and continuous detention of the petitioner would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial. Moreover, '*bail is rule and jail is exception*'.

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 bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

9. It is clarified that while on bail so granted through the instant order the petitioner is found indulging in any other criminal case, it shall be open to the State to seek cancellation of his bail.

25.03.2026

Janki

(H.S.GREWAL)
JUDGE

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