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

**CRM-M No.69785 of 2025
Date of Decision: 15.01.2026**

Bohar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Prateek Pandit, Advocate
for the petitioner.

Mr. Raj Karan Singh, Asstt. A.G., Punjab.

RAJESH BHARDWAJ, J. (ORAL)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.171, dated 17.11.2024, under Sections 15(c), 25(c) and 29 of the NDPS Act, 1985, registered at Police Station Shahkot, District Jalandhar.
2. Succinctly, the facts of the case are that the police party, while on patrolling on 17.11.2024, received a secret information to the effect that Sonu son of Bod Singh and Karan son of Parmatma Singh were big smugglers and they were involved in smuggling of poppy husk. It was informed that they purchased the contraband at low price from other states and sell the same in high prices in different cities. It was alleged that they were coming in Truck bearing No.HP-12-8481 with driver Harpreet Singh @ Happy and cleaner



Varinder Singh @ Raju and in case of *naqa*, they could be arrested along with the contraband. On receiving the secret information, the barricading was laid and on seeing the truck, as disclosed in the secret information, the same was stopped. They were suspected to be carrying some contraband and thus, the search of the truck was conducted. On conducting the search of the truck, 105 Kgs of poppy husk was recovered. They failed to produce any license regarding the conscious possession of the same, thus, the FIR was registered and both were arrested on the spot. On registration of the FIR, the investigation commenced. On the disclosure statement of co-accused, complicity of the petitioner surfaced and thus, he was also arrayed as an accused in the present case. Hence, the petitioner was arrested on 21.11.2024. The petitioner approached the Court of learned Judge, Special Court, Jalandhar praying for the grant of bail. However, after hearing both the sides and finding no merit in the same, the learned Judge, Special Court, Jalandhar declined the bail application filed by the petitioner vide order dated 01.12.2025. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail to the petitioner on the basis of parity with that of the co-accused, namely, Parmatma Singh and Gurdit Singh. He has drawn the attention of this Court to the orders dated 19.03.2025 and 01.07.2025 passed in **CRM-M-13793-2025** and **CRM-M-29697-2025**, respectively, whereby, co-accused, namely, Parmatma Singh and Gurdit Singh have been granted regular bail by this Court. He has submitted that the case of the petitioner is at par with the said co-accused. He submits that the petitioner is in custody since 21.11.2024.

He submits that the petitioner is convicted in 02 other cases, however in 01



case, his sentence has been completed. He submits that on the basis of the parity, the petitioner deserves to be granted bail as the case of the petitioner is similar to that of the said co-accused, who has already been granted bail.

4. Learned State counsel has endorsed the factum of grant of bail to the co-accused of the petitioner as stated above and has not denied that the petitioner is at par with the co-accused, namely, Parmatma Singh and Gurdit Singh. He has submitted that the petitioner is involved in 02 other cases. He has produced custody certificate of the petitioner today in the Court, which is taken on record.

5. Heard.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since 21.11.2024. Co-accused, namely, Parmatma Singh and Gurdit Singh are on bail and the case of the petitioner as stated is at par with them. Custody certificate produced would show that the petitioner has suffered an incarceration of 02 months & 28 days as on 14.01.2026. It further reflects that the petitioner is involved in 02 other cases, however in 01 case, his sentence has already been completed.

7. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner on the basis of parity.

8. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. However, if the petitioner does not furnish the bail bonds within 07 days from today, then his



further custody period after one week will not be counted in this case.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

15.01.2026
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(RAJESH BHARDWAJ)
JUDGE

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