

2026:PHHC:031758



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

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CRM-M-69896-2025
Date of Decision: 26.02.2026

DINKAR KALIA

... Petitioner

VERSUS

STATE OF PUNJAB

... Respondent

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

Present: Mr. Akshay Chadha, Advocate
for the petitioner.

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.147 dated 18.09.2025 under Sections 21 of the NDPS Act, 1985 (Section 27-A of the Act added later on) registered at Police Station Doraha, District Ludhiana

2. The case of the prosecution is that from one Gurlal singh @ Gora 300 grams of heroin was recovered on 18.09.2025. Said Gurlal Singh @ Gora disclosed the name of Mohd. Irshad, Davinder Singh and Lovepreet Singh. Thereafter, co-accused Lovepreet Singh disclosed that he used to contact Gurlal Singh through his mobile phone and also stated that Kashmir Giri and Dinkar Kalia @ Shenty Kalia used to buy heroin from him. Hence, on the basis of disclosure statement made by accused Lovepreet Singh, the petitioner was nominated in the present case, pursuant to which, he alongwith Gulshan @ Guchhi and Bicky @ Vicky was arrested on

26.09.2025 from a car bearing No.PB-27K-4051 and 30 grams of heroin was recovered from their possession.

3. Learned Counsel for the petitioner contends that the petitioner was not named in the FIR and that the sole ground of his implication in the present case is the disclosure statement of co-accused Lovepreet. He further submits that similarly situated co-accused namely Gulshan @ Guchhi and Bicky @ Vicky have already been granted the concession of regular bail by this Court vide orders dated 19.02.2026. He further submits that although the petitioner is involved in so many cases, out of which two cases are under NDPS Act, however, the said NDPS cases pertain to small quantities and the petitioner is already on anticipatory bail in those cases. He further submits that the petitioner is in custody for the last 04 months and 25 days.

4. Notice of motion.

5. Mr. Rishabh Singla, AAG, Punjab accepts notice and vehemently opposes the petition for grant of bail on the ground that the allegations and role attributed to the present petitioner in the commission of the alleged offence are very serious. 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 04 months and 25 days.

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

7. 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 04 months and 25 days and similarly placed co-accused namely Gulshan @ Guchhi and Bicky @ Vicky have already been granted bail, this Court is of the opinion that the petitioner also deserves the concession of regular bail. 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.

8. 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.

9. 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.

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

FEBRUARY 26, 2026.
Rajender

(H.S. GREWAL)
JUDGE

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