



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

212-1 **CRM-M-70572-2025**
HARMANDEEP SINGH
... Petitioner

VERSUS

STATE OF HARYANA
... Respondent

A N D

212-2 **CRM-M-19273-2025**
Date of Decision: 19.01.2026

LOVEPREET SINGH
... Petitioner

VERSUS

STATE OF HARYANA
... Respondent

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

Present: Mr. Satnam Singh Gill, Advocate
for the petitioners.

Mr. Vijay Kumar, AAG, Haryana.

H.S. GREWAL, J. (ORAL)

Both these petitions are being decided by this common order since
the same have arisen out of the same FIR.

These petitions have been filed under Section 483 Bharatiya Nagrik
Suraksha Sanhita, 2023 seeking regular bail for the petitioners in case FIR
No.439 dated 20.08.2024 under Section 18 of the NDPS Act, 1985 registered at
Police Station Thanesar Sadar, District Kurukshetra.

2. The case of the prosecution is that on the basis of secret information,
truck bearing No.HR-10GK-9690 belonging to the petitioners was searched and

3.250 Kgs. of opium was recovered therefrom, pursuant to which, the petitioners were arrested in the present case.

3. Learned counsel for the petitioner contends that the petitioners are innocent and have been implicated falsely in the present case. He further submits that the petitioners are in custody for the last more than 01 year and 04 months. He further submits that petitioner Harmandeep Singh is involved in one more case under NDPS Act, however, he is on bail in that case, whereas petitioner Lovepreet Singh is not involved in any other case under NDPS Act. It is further stated that out of 14 cited prosecution witnesses, only one has been examined till date and as such, the trial of the case is likely to take a long time to conclude.

4. Notice of motion.

5. Mr. Vijay Kumar, AAG, Haryana accepts notice and vehemently opposes the petitions for grant of bail on the ground that there is an active role of the petitioners in the commission of the offence in question. Hence, he prays for dismissal of the present petitions. Custody certificates filed by the State Counsel are taken on record. As per the said certificate, the petitioners are in custody for the last more than 01 year and 04 months.

6. I have heard the 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 petitioners are in custody for the last more than 01 year and 04 months and the trial against the petitioners might take a long time to conclude, this Court is of the opinion that the petitioners deserve concession of regular bail. Moreover, bail is rule and jail is exception. Since the continuous incarceration of the petitioners would not serve the ends of justice, this Court

deems it fit to grant the concession of regular bail to the petitioners during the pendency of the trial.

8. Therefore, without expressing any opinion on the merits of the case, the instant petitions are allowed. The petitioners are ordered to be released on regular bail on their 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 petitioners are found indulged in any other criminal case/activity, it shall be open to the State to seek cancellation of their bail.

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

JANUARY 19, 2026.

Rajender

**(H.S. GREWAL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No