

2026:PHHC:046664



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

133-1

CRM-M-71917-2025

HARDEEP SINGH @ SONU

... Petitioner

VERSUS

STATE OF PUNJAB

... Respondent

A N D

133-2

CRM-M-73003-2025

Date of Decision: 24.03.2026

ASHOK SINGH @ SHOKI

... Petitioner

VERSUS

STATE OF PUNJAB

... Respondent

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

Present: Mr. J.S. Bhinder, Advocate for the petitioner
in CRM-M-71917-2025.

Mr. Davinder Singh, Advocate for the petitioner
in CRM-M-73003-2025.

Mr. Rishabh Singla, AAG, Punjab.

H.S. GREWAL, J. (ORAL)

Both these petitions are being decided by a common order since they arise out of the same FIR.

2. By way of filing the present petitions under Section 483 Bharatiya Nagrik Suraksha Sanhita, 2023, the petitioners have sought regular bail in case FIR No.86 dated 06.09.2025 under Section 21/61/85 of the NDPS Act, 1985 registered at Police Station Phase-8, District S.A.S. Nagar (Mohali).

2. The case of the prosecution is that the petitioners were apprehended while they were travelling in car bearing No.CH-04E-0240 and from the dashboard of the car, 150 grams of heroin was recovered, regarding which they could not produce any valid permit or licence.

3. Learned Counsel for the petitioners contend that the allegations against the petitioners are false and fictitious, and they have been falsely implicated in the present case. Otherwise also, the alleged quantity of recovered contraband is non-commercial. They further submit that although petitioner Hardeep Singh @ Sonu is involved in one more case under NDPS Act, in which 08 grams of heroin was recovered, which was also non-commercial, but he is on bail in the case; whereas petitioner Ashok Singh @ Shoki is not involved in other case. They further submit that the petitioners are in custody for the last 06 months and 12 days and 06 months and 05 days respectively and the trial is yet to commence and as such the same will take a long time to conclude.

4. On the other hand, 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 and the petitioners have actively participated in the alleged offence. Therefore, the petitioners do not deserve the concession of bail. Hence, they pray for dismissal of the present petition. Custody certificates produced by the State Counsel is taken on record. Custody certificates filed by the State are taken on record.

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 petitioners are in custody for last more 06 months coupled with the fact that the trial of the case is likely take a long time to conclude as well as the fact that the recovered quantity of the contraband is intermediate non-commercial, this Court is of the opinion that the petitions in hand deserve to be allowed. Moreover, bail is rule and jail is exception. Since the continuous incarceration of the petitioners would not serve the ends of justice, therefore, they are entitled to regular bail during the pendency of the trial.

7. Therefore, without expressing any opinion on the merits of the case, 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.

8. It is clarified that if while on bail so granted through the instant order, the petitioners are found indulging in any other criminal case/activity, it shall be open to the State to seek cancellation of their bail.
9. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

MARCH 24, 2026.
Rajender

(H.S. GREWAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No