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

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Date of decision: 09.01.2026

YUVRAJ SINGH @ BAL**...PETITIONER****VERSUS****STATE OF PUNJAB****...RESPONDENT****CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. Manu Sachdeva, Advocate for the petitioner.

Mr. Raj Karan Singh, AAG, Punjab.

RAJESH BHARDWAJ, J. (ORAL)

1. Petitioner has approached this Court by way of present petition praying for granting them regular bail in case FIR No.129 dated 29.06.2024, under Sections 21, 21(c), 25, 27-A & 29 of NDPS Act; Section 473 of IPC and Section 25 of Arms Act, registered at Police Station Kamboj, District Amritsar (Rural).

2. Succinctly, the facts of the present case are that the police party, while on patrolling on 29.06.2024, received a secret information to the effect that Juvraj Singh @ Bal is involved in selling of the illegal arms and smuggling of chitta. It was informed that 4-5 boys had come with him in 02 vehicles along with weapons and contraband. If the barricading is laid, they could be arrested along with the contraband. On receiving the information, police party laid the barricading and 02 cars i.e. Maruti Brezza and Toyota Corolla were seen and were stopped. In the Brezza car, 03 persons were travelling and on asking, driver of the car disclosed his name to be Yuvraj Singh (petitioner), person sitting on the adjoining seat disclosed his name to be Jagroop Singh and the person sitting

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at the rear seat disclosed his name to be Prabhjeet Singh @ Bhana, whereas in the Corolla car also, 03 persons were travelling and on asking driver of the car disclosed his name to be Ranjit Singh, person sitting on the adjoining seat disclosed his name to be Akashdeep Singh and the person sitting at the rear seat disclosed his name to be Mangal Singh @ Mithu. They were suspected to be carrying some contraband and thus, search of the cars were made. On conducting the search of Brezza car, three rifles of 12 bore were recovered and from the search of Corolla car, one plastic bag containing cash of Rs.4,75,850/- as drug money was recovered. They failed to produce any licence regarding possession of the same and thus, they were arrested on spot. On registration of FIR, investigation commenced. During investigation, Mangal Singh @ Mithu made a disclosure statement regarding 01 kg of heroin and 500 grams of dry ice, which were lying in the house of main accused i.e. Yuvraj Singh thus, the raid was conducted at the house of Yuvraj Singh and 01 kg of heroin and 500 grams of dry ice were recovered. Samples taken were sent to the FSL. On receipt of FSL report, challan was presented and on framing of charges, the trial commenced. The petitioner approached the Learned Judge, Special Court, Amritsar praying for grant of bail, however, finding no merit, their application was declined after hearing both the sides by Learned Judge, Special Court, Amritsar vide order dated 21.08.2025. Aggrieved by the same, petitioner is before this Court by way of filing of present petitions for grant of 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, Jagroop Singh @ Raju, Akashdeep Singh @ Akash, Prabhjeet Singh @ Bhana and Mangal Singh @ Mithu. He has drawn the attention of this Court to the

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CRM-M-49179-2025 and CRM-M-59804-2025, whereby, co-accused Jagroop Singh @ Raju, Akashdeep Singh @ Akash, Prabhjeet Singh @ Bhana and Mangal Singh @ Mithu have been granted regular bail by this Court. He submits that the petitioner is behind bars since 29.06.2024. 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, Jagroop Singh @ Raju, Akashdeep Singh @ Akash, Prabhjeet Singh @ Bhana and Mangal Singh @ Mithu. He further submits that the petitioner was specifically named in the FIR. He further submits that the contraband weighing 01 kg of heroin and 500 grams of dry ice were recovered from the house of the petitioner, which is a commercial quantity and thus, the provisions of Section 37 of NDPS Act are attracted. He has produced custody certificate of the petitioner today in the Court and the same is taken on record.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since 29.06.2024. Co-accused, namely, Jagroop Singh @ Raju, Akashdeep Singh @ Akash, Prabhjeet Singh @ Bhana and Mangal Singh @ Mithu are on bail and the case of the petitioner as stated is at par with them. The petitioner and the co-accused were arrested on the spot. Custody certificate produced would show that the petitioner has completed incarceration of about 01 year, 06 months and 03 days as on 07.01.2026 and he is involved in one more case.



Vs. State (NCT of Delhi), 2023 LiveLaw(SC)260, this Court is of the opinion that the case of the petitioner is covered by the ratio of law laid down by the Hon'ble Supreme Court. In the abovesaid case Hon'ble Supreme Court expressed its views as under:-

19. *A plain and literal interpretation of the conditions under Section 37 (i.e., that Court should be satisfied that the accused is not guilty and would not commit any offence) would effectively exclude grant of bail altogether, resulting in punitive detention and unsanctioned preventive detention as well. Therefore, the only manner in which such special conditions as enacted under Section 37 can be considered within constitutional parameters is where the court is reasonably satisfied on a prima facie look at the material on record (whenever the bail application is made) that the accused is not guilty. Any other interpretation, would result in complete denial of the bail to a person accused of offences such as those enacted under Section 37 of the NDPS Act.*

20. xxxxx

21.it would be important to reflect that laws which impose stringent conditions for grant of bail, may be necessary in public interest; yet, if trials are not concluded in time, the injustice wrecked on the individual is immeasurable.

22. xxxxx

23. *There is a further danger of the prisoner turning to crime, “as crime not only turns admirable, but the more professional the crime, more honour is paid to the criminal”²² (also see Donald Clemmer’s ‘The Prison Community’ published in 1940²³). Incarceration has further deleterious effects - where the accused belongs to the weakest economic strata: immediate loss of livelihood, and in several cases, scattering of families as well as loss of family bonds and alienation from society. The courts therefore, have to be sensitive to these aspects (because in the event of an acquittal, the loss to the accused is irreparable), and ensure that trials – especially in cases, where special laws enact stringent provisions, are taken up*



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and concluded speedily.”

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. 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.

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

9. In case the bail bonds are not furnished by the petitioner during the period of 07 days from today, then his further custody period after one week will not be counted in the present case.

09.01.2026
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(RAJESH BHARDWAJ)
JUDGE

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