



CRM-M-73859-2025 and CRM-M-49537-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARHCRM-M-73859-2025

Gurmel Singh @ Gurmail Singh @ Ghela

.....Petitioner

Versus

State of Punjab

.....Respondent

CRM-M-49537-2025

Priyanka

.....Petitioner

Versus

State of Punjab

.....Respondent

Decided on: 27.01.2026

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Rahul Bhargava, Advocate
for the petitioner(s) (in CRM-M-73859-2025)Mr. Ajay Kumar, Advocate for
Mr. Rishu Mahajan, Advocate
for the petitioner(s) (in CRM-M-49537-2025).

Mr. Jatin Kundu, AAG, Punjab

SANJAY VASHISTH, J. (ORAL)

1. By way of this common order, both the above-mentioned petitions are being decided together as they arise out of the same FIR and common allegations.
2. CRM-M-73859-2025 arises out of **FIR No. 95 dated 19.06.2025**, registered at Police Station Sadar, District Police Commissionerate Amritsar, Punjab, under Section 21-C, 27-A, 29, 61/85 of NDPS Act and CRM-M-49537-2025 arises out of **FIR No. 95 dated 19.06.2025**, registered at Police Station

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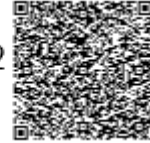
Sadar, District Police Commissionerate Amritsar, Punjab, under Section 21(C), 27-A of NDPS Act

3. As per case of the prosecution, a secret informer informed the Investigating Officer that Harpreet Singh @ Harpartap Singh Happy, his wife Priyanka and Shilpa w/o Sikander are in the business of sale and purchase of Heroin. The informer further informed that even today, if raid is conducted at the house of Shilpa, all of them can be apprehended with Heroin.

On conducting raid, at the house of Shilpa, it was noticed that on Diwan Bed, a computer scale with a polythene packet and other small polythene packets were lying over it and noticing the presence of police, Harpreet Singh @ Harpratap Singh Happy picked up the wrapped polythene packet from Diwan Bed with his right hand and when he was about to throw it into the bathroom, was apprehended, while holding his right wrist along with polythene packet.

4. Learned counsel for the petitioner(s) argues that during investigation, it was found that in the packet there was 260 grams of Heroin, which was recovered from Harpreet Singh @ Harpartap Singh Happy alongwith drug money in the shape of cash amount of Rs. 5,200/- from accused Shilpa. When the aforementioned accused namely Priyanka, Harpreet Singh @ Harpartap Singh Happy and Shilpa had been arrested, on the basis of disclosure statement, two other accused namely Shamsher Singh and Dilbag Singh were also involved in this case.

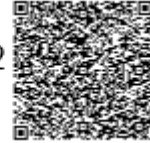
Once Dilbag Singh was arrested, petitioner-Gurmel Singh @ Gurmail Singh was also arrested and since the time of his arrest, he is inside jail for the last about 03 months and 28 days. Priyanka is also inside jail since 19.06.2025. By



referring the status report(s) filed today in the Court, it is also argued that the petitioner was arrested only on the basis of disclosure statement of his co-accused, nothing abnormal was recovered, more so any contraband falling under the NDPS Act. Counsel representing Gurmel Singh @ Gurmail Singh and Priyanka, argue that neither the drug money nor narcotic drug was recovered from the possession of both the petitioners herein, therefore, can not be assumed of having any conscious possession of the recovered contraband of 260 grams of Heroin from co-accused Harpreet Singh alias Harpratap Singh Happy. Further submit that the Gurmel Singh @ Gurmail Singh @ Ghela is of the age of 55 years and was never found involved in any other similar activity in his past. The said fact is established from the custody certificate dated 26.01.2026 filed by learned State counsel in the Court today. Similarly qua co-accused-Priyanka aged 33 years also, almost similar is the submission because as per custody certificate, she is not reported to be involved in any other similar activity.

5. I have carefully considered the submissions addressed by the respective counsel.

6. Considering all the aspects into consideration that since during investigation, and after effecting arrest of the petitioner(s) herein, there is no allegation of effecting any recovery from both the petitioners, further detention of the petitioner for an indefinite period is not warranted. This Court is inclined to afford them an opportunity to reform and reintegrate into society, instead of prolonging their custody, particularly when the trial is unlikely to conclude soon. Accordingly, this Court deems it appropriate to grant the concession of regular bail to the petitioners.

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7. Accordingly, both the petitions are allowed. Petitioners namely- Gurmel Singh @ Gurmail Singh @ Ghela (in CRM-M-73859-2025) and Priyanka (in CRM-M-49537-2025) are ordered to be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioner(s) shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

10. Both the petitions stand disposed of.

11. A photocopy of this order be placed on the file of other connected case.

27.01.2026**reena****(SANJAY VASHISTH)
JUDGE***Whether speaking/reasoned: Yes/No**Whether Reportable: Yes/No*