



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

205

CRM-M-54429-2025

Date of decision: 30.09.2025

Gurbhej Singh @ Bheja

...Petitioner

Versus

State of Punjab

...Respondent

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

Present: Mr. Jashandeep Singh Sandhu, Advocate, for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

H.S. GREWAL, J. (Oral)

1. The petitioner is seeking regular bail under Section 483 BNSS, in case FIR No.93 dated 04.11.2023, under Sections 21(C), 25, 29 of NDPS Act, 1985, registered at Police Station Chohla Sahib, District Tarn Taran.

2. The case of the prosecution is that the co-accused, namely Arshdeep Singh @ Arsh and Rajpreet Singh @ Raj, were found in possession of 2 kilograms of heroin. The name of the petitioner surfaced on the basis of their disclosure statement. However, at the relevant time, the petitioner was already confined in jail in connection with another case arising out of FIR No.182 dated 04.11.2020, registered under the NDPS Act at Police Station City, Jalalabad.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, as no recovery has been effected from him and no disclosure statement has been made by him leading to any recovery. He further submits that the petitioner had no connection with the co-accused, as no mobile phone or any other device was recovered from the jail to suggest such contact. It is further submitted that the petitioner has been in



custody for the last 01 year, 10 months, and 20 days as an undertrial. Out of 13 prosecution witnesses, only 6 have been examined so far. In these circumstances, the continued incarceration of the petitioner would not serve the ends of justice. Therefore, the petitioner deserves to be released on regular bail.

4. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner. It is fairly admitted by him that no recovery has been effected from the petitioner, nor has any mobile phone been recovered from the jail to establish that the petitioner was in contact with the co-accused. He has produced the custody certificate of the petitioner in Court today, which is taken on record. As per the custody certificate, the petitioner has remained in custody for the last 01 year, 10 months, and 20 days. However, it is submitted that the petitioner is involved in two FIRs under the NDPS Act.

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

6. In view of the above submissions of learned counsel for the parties and considering the custody period undergone by the petitioner and the fact that out of 13 cited witnesses, only 6 have been examined so far, the continuous detention of the petitioner would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial.

7. 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 bonds, surety bonds to the



satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. However, it is made clear that in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of his bail.

(H.S. GREWAL)
JUDGE

30.09.2025

anil

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