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

CRM-M-37376-2025

Date of Decision:22.07.2025

GURSEWAK SINGH ALIAS SEWAK

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Raghav Soni, Advocate
for the petitioner.

Mr. Ravneet Singh Joshi, Deputy, A.G., Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 BNSS with a prayer to grant regular bail to him in case FIR No.174 dated 30.09.2024, registered under Sections 21-B, 27-A, 29, 61, 85 of NDPS, 1985, Police Station Chheharta District Amritsar.

2. Learned counsel for the petitioner contends that on the basis of suspicion, Narinder Singh, co-accused was apprehended by the police and 100 grams of heroin and Rs.2,690/- of drug money were recovered from him. After his arrest, Narinder Singh, co-accused suffered a disclosure statement and named Punjab Singh @ Rambo co-accused. Punjab Singh @ Rambo further suffered a disclosure statement, implicating the petitioner in the present case. Learned counsel further submits that except the disclosure statement suffered



by co-accused, there was no other evidence to connect him with the alleged recovery. Even after his arrest on 19.04.2025, no recovery was effected from the petitioner. He further submits that one more case under the provisions of NDPS Act has been registered against the petitioner and the petitioner is on bail in the said case.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he is hardened criminal and he does not deserve the concession of bail by this Court.

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

5. In the present case, the petitioner has been named by Punjab Singh @ Rambo in his disclosure statement and the admissibility of such statement is yet to be adjudicated by the trial Court. At this stage, this Court is of the conscious fact that the petitioner is in custody since last more than 03 months and no recovery has been effected from him. Thus, the further custody of the petitioner will not serve any useful purpose.

6. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.



(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner is involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

7. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to him shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

22.07.2025
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(N.S. SHEKHAWAT)
JUDGE

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