



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

153+294

CRM-M-13380-2025 (O&M)

Date of Decision:-22.05.2025

DALEEP SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. P.S. Sekhon, Advocate for the petitioner.

Mr. Durgesh Garg, AAG Punjab.

SANJIV BERRY, J. (ORAL)

CRM-21472-2025

Learned counsel for the petitioner does not press the instant application at this stage.

Ordered accordingly.

CRM-M-13380-2025

1. Status report dated 21.05.2025 filed in the form of an affidavit of Deputy Superintendent of Police, Sub-Division Barnala is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
2. Arguments heard.
3. The instant petition has been preferred by the petitioner under Section 483 Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular



bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
200	08.12.2023	21 and 29 NDPS Act; (25 NDPS Act deleted later on)	Dhanaula, District Barnala

4. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the petitioner has no concern with the allegations levelled in the FIR and his name surfaced in the disclosure statements of co-accused Arsdheep Singh and Sahib Singh, from whom recovery of 280 grams of heroin was allegedly effected by the police. He submits that the petitioner is in custody since 14.01.2025 and no recovery of contraband has been effected from him after his arrest. He submits that similarly situated co-accused Sukhdeep Singh and Hargopal Singh have been granted the concession of bail vide orders dated 28.05.2024 passed in CRM-M-19561-2024 and 08.01.2025 passed in CRM-M-54033-2024 (Annexures P-3 and P-4) respectively. Thus prays for grant of concession of bail to the petitioner.

5. *Per contra*, learned State counsel while referring to the short reply filed by the State has opposed the petition on the ground that the name of the petitioner surfaced in the disclosure statements of co-accused Arshdeep Singh and Sahib Singh, from whom the contraband was recovered. Thus, prays for dismissal of the petition. He has, however, not disputed the fact that the case of the petitioner is at par with co-accused Sukhdeep Singh and Hargopal Singh, who have been granted the concession of bail (*supra*).

6. After considering the rival contentions and perusing the record,



it transpires that the story of the prosecution is that on 08.12.2023, police party apprehended co-accused Arshdeep Singh and Sahib Singh, who were sitting in the car and checking the polythene bag lying between their seats. Upon checking of the polythene bag, 280 grams of heroin was recovered. Accordingly, they were arrested and contraband was taken into police possession. During the course of their interrogation, they suffered their disclosure statements nominating the present petitioner. Thereafter, the petitioner was arrested on 14.01.2025 and since then he is in judicial custody. Admittedly, after the arrest of the petitioner, no recovery has been effected from him. Challan has already been presented in Court, wherein the prosecution has cited 18 witnesses but no witness has been examined till date. Similarly situated co-accused Sukhdeep Singh and Hargopal Singh have already been granted the concession of bail by this Court (supra) and the criminal liability, if any, of the petitioner, could only be determined after the conclusion of trial, which may take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.

7. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.



8. It is further made clear that in case the petitioner is again found involved in any case under NDPS Act, in future, after his release on bail, it will be open for the prosecution to move an application for cancellation of his bail in accordance with law.

9. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

22.05.2025

S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No