



2026:PHHC:076632



2026:PHHC:076632

CRM-M-26635-2026

-1-

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

210

CRM-M-26635-2026

Date of decision : 15.05.2026

**JUGRAJ SINGH ALIAS NIKU**

... PETITIONER

Versus

**STATE OF PUNJAB**

.. RESPONDENT

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

Present:- Mr. M.K. Bhatnagar, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

\*\*\*

**H.S. Grewal, J.(Oral)**

1. This petition has been filed by the petitioner seeking regular bail under Section 483 BNSS, 2023(erstwhile Section 439 Cr.P.C.), in case FIR No.0028 dated 03.02.2026, under Sections 21/27(A)/29/61/85 of the NDPS Act, registered at Police Station Jandiala, District Amritsar Rural.

2. The case of the prosecution is that on 03.02.2026, co-accused Gurbir Singh @ Gulu was apprehended while driving a motorcycle and the petitioner was allegedly travelling as a pillion rider. Upon checking of an envelope allegedly being carried in the hand of co-accused Gurbir Singh @ Gulu, recovery of 08 grams of heroin (non-commercial quantity) was effected. It is further alleged that from the personal search of the petitioner, an amount of Rs.1,200/- was also recovered, which is alleged to be drug money.

3. Learned counsel for the petitioner, however, submits that the petitioner has been falsely implicated in this case while nothing has been



2026:PHHC:076632



2026:PHHC:076632

**CRM-M-26635-2026**

-2-

recovered from his conscious possession. He was only sitting as a pillion and there is no incriminating material against him which would connect him with the alleged offence. It is further submitted that there is non-compliance of mandatory provisions of the NDPS Act and at this stage, it cannot be determined whether the alleged recovery was connected with the petitioner in any manner. Learned counsel also submits that the petitioner is in custody for the last more than 03 months and 10 days and is not involved in any other case. It is also submitted that co-accused Amritpal Singh @ Pala Mistri has already been granted bail by this Court in CRM-M-20300-2026 on 22.04.2026. He, therefore, prays for release of the petitioner on regular bail as the trial is likely to take a long time as challan is yet to be presented.

4. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner. He has filed the custody certificate in Court, which is taken on record. As per the custody certificate, the petitioner is in custody for the last more than 03 months and 10 days. He, upon instructions, submits that challan is yet to be presented.

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 keeping in view the facts that the petitioner is in custody for the last more than 03 months and 10 days, he is not involved in any other case, the alleged recovery of contraband is of non-commercial quantity, co-accused has already been granted bail and that the trial is likely to take a long time to conclude as challan is yet to be presented, therefore, this Court deems it appropriate to grant the concession of regular bail to the petitioner during the pendency of the trial

**CRM-M-26635-2026**

-3-

as the continuous detention of the petitioner would not serve the ends of justice.

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.

**May 15, 2026**  
**Sonia**

**(H.S.GREWAL)**  
**JUDGE**

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