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CRM-M-38376-2026 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(215)

CRM-M-38376-2026 (O&M)

Date of Decision:- 09.09.2026

GURJIT SINGH

.....Petitioner

Versus

STATE OF HARYANA

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Ms. Himani Anand, Advocate for the petitioner.

Mr. Amish Sharma, AAG, Haryana.

ALOK JAIN, J. (Oral)

1. The present petition has been filed seeking grant of regular bail to the petitioner in case FIR No. 37 dated 09.02.2026, under Sections 21 of NDPS Act (Section 29 added later on), registered at Police Station Sadar Pehowa, District Kurukshetra, Haryana.

2. Learned counsel for the petitioner submits that the petitioner was not named in the FIR and has been entangled only on the basis of the disclosure statement. It is submitted that the petitioner is on a better footing than co-accused Ravia, who has been granted the concession of bail vide Annexure P-4 dated 25.05.2026, and claims parity therewith. It is further submitted that the petitioner was granted interim bail on 06.03.2026, however, before joining the investigation, he was arrested in another FIR No.30 dated 28.01.2026 on 20.03.2026. Consequently, the concession of interim bail granted to the petitioner in the present FIR was vacated on



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24.03.2026. Learned counsel for the petitioner further submits that the petitioner has been granted bail in the FIR No. 30 dated 28.01.2026 vide order dated 01.05.2026 (Annexure P-6).

3. *Per contra*, learned State counsel has filed the custody certificate as well as a reply by way of an affidavit of Randhir Singh, Deputy Superintendent of Police, Pehowa, Kurukshetra, on behalf of the respondent-State, which are taken on record. He has opposed the grant of any concession to the petitioner and submits that the petitioner has played a pivotal role in the supply chain of the contraband and that his antecedents are also not clean. However, he could not deny the fact that the other co-accused has been granted the concession of bail.

4. Heard learned counsel for the parties.

5. In light of the above and considering the fact that co-accused Ravia has been granted the concession of bail and that the petitioner has been in custody for the last more than five months, and apart from the disclosure statement, there is no cogent or corroborative evidence against him, coupled with the fact that the trial is likely to take considerable time, no useful purpose would be served by keeping the petitioner in custody. Accordingly, the petitioner is held entitled to the concession of regular bail.

6. Without commenting upon the merits of the case, the present petition stands allowed and the petitioner is ordered to be released on bail if not required in any other case on furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. The petitioner shall, however, be released on the following conditions:



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- i The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- ii The petitioner will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
- iii The petitioner will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- iv The petitioner will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also. However, in case the petitioner does not possess a passport, then he shall file an undertaking to the said effect before being released.

The petitioner shall abide by the terms and conditions as imposed in addition to Section 483 of BNSS, 2023.

7. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and this order shall not be considered as parity qua any other co-accused in any manner whatsoever.

8. It is further made clear that, in case, the petitioner is found involved in any such activity once again, the State is at liberty to promptly move an appropriate application for cancellation of bail detailing out the circumstances and violation of conditions of bail.

9. Pending application(s), if any, stands disposed of.

(ALOK JAIN)
JUDGE

September 09, 2026

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Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No