



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

214

CRM-M-7052-2025  
Decided on : 11.02.2025

Lovejit Singh alias Lovepreet Singh alias Kaka . . . Petitioner(s)  
Versus  
State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Malkiat S. Hundal, Advocate  
for the petitioner(s).

Mr. Amandeep Singh, DAG, Punjab.  
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SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

| Name of Petitioner(s)                          | FIR No. | Date       | Section(s)                       | Police Station  | District   |
|------------------------------------------------|---------|------------|----------------------------------|-----------------|------------|
| Lovejit Singh alias Lovepreet Singh alias Kaka | 76      | 01.05.2024 | 21(c)/29/61/85 of NDPS Act, 1985 | City Tarn Taran | Tarn Taran |

2. Counsel for the petitioner argues that as per the NDPS Act, the commercial quantity of 'Heroin' would be more than 250 grams, whereas, from the petitioner and his co-accused, the total recovery of Heroin is 300 grams (i.e. 270 grams from the petitioner and 30 grams from the co-accused namely; Kala Singh alias Kala). Further submits that petitioner is not found to be involved in any other case of similar nature, ever in past. After completion of investigation, challan has already been presented and out of total 11 prosecution witnesses, only 6 have been examined so far. The remaining witnesses are the official



witnesses, thus, there are no chances of the witnesses getting influenced by the petitioner.

Besides, it is also informed that the co-accused i.e. Kala Singh @ Kala, from whom, recovery of 30 grams Heroin was effected, has already been granted concession of regular bail by this Court vide order dated 07.01.2025, passed in CRM-M-53692-2024, titled as, “Kala Singh alias Kala v. State of Punjab”.

Counsel also submits that petitioner is inside jail for the last about 9 months and 6 days. Thus, counsel prays for grant of concession of regular bail to the petitioner.

3. On advance notice and in response to the arguments addressed by counsel for the petitioner, learned State counsel, produces the custody certificate dated 10.02.2025, in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 09 months and 06 days period inside jail. However, he is not in a position to counter the factual position addressed by the petitioner’s counsel, yet he submits that trial is at its moderate pace and likely to culminate soon in the near future.

4. After hearing the learned counsel for the parties and perusing the relevant material on record with their able assistance, this Court finds substance in the submissions made by the learned counsel for the petitioner. It is observed that petitioner is a young boy of the age of 29 years and for the first time, he has been involved in a case under the NDPS Act. This Court is of the view that by taking into consideration all the parameters prayer for bail can be considered



by granting him (petitioner) one more chance to rise-up and rehabilitate himself in the society. Besides, the quantity of contraband recovered from him is also just 20 grams above the non-commercial quantity. In the absence of any substantial reason to curtail liberty of the petitioner, I do not find any justification for continued incarceration.

5. Accordingly, considering the totality of circumstances, and the nature allegations leveled against the petitioner, and the factors noted here-above, I deem it appropriate to grant the concession of bail to the petitioner.

6. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

8. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

9. Petition stands disposed of.

(SANJAY VASHISTH)  
JUDGE

February 11, 2025

J.Ram

Whether speaking/reasoned: Yes/No  
Whether Reportable: Yes/No