

2025:PHHC:089458



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

CRM-M-21781-2025 (O&M)

Reserved on : 17.07.2025

Pronounced on : 22.07.2025

Veer Singh @ Veeru

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Gurpal Singh Sandhu, Advocate
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

MANISHA BATRA, J.

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 0051 dated 29.07.2024, registered under Sections 21(c), 27 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sadar Abohar, District Fazilka.

2. Brief facts of the case relevant for the disposal of the present petition are that on 29.07.2024, the petitioner, while coming along with co-accused Sandeep Singh @ Sonu and Jaspreet Singh in a car bearing registration number PB-03-BA-0404, was apprehended by a police party and recovery of 280 grams of heroin was effected, which was kept in a polythene near the gear box of the car. The petitioner and above named co-accused were formally arrested at the spot. Upon interrogation, they disclosed that

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the recovered contraband was supplied by one Gurmeet Singh, who was lodged in Faridkot jail. Co-accused Gurmeet Singh was also arrested in this case on 02.08.2024 by way of production warrant from Central Jail, Faridkot. After completion of necessary investigation and usual formalities, *challan* was presented in the Court and presently, the petitioner along with co-accused is facing trial for commission of aforementioned offences. He had moved an application for grant of regular bail before the learned trial Court but the same had been dismissed, vide order dated 17.01.2025.

3. Learned counsel for the petitioner has argued that he has been falsely implicated in this case. He was in fact picked up by the police from his house. He was neither driving the said car nor was its owner. The mandatory provisions of Section 50 of the NDPS Act were not complied with. No independent witness was joined. Even otherwise, investigation has since been completed and *challan* has been filed. Conclusion of trial is likely to take time. The petitioner is in custody since 29.07.2024. No useful purpose would be served by keeping him in custody anymore. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be granted benefit of regular bail.

4. Status report has been filed by the respondent-State. Learned Assistant Advocate General, Punjab has argued that keeping in view the gravity of the allegations as well as the criminal antecedents of the petitioner, he is not entitled to get benefit of bail. If he is released on bail, he may abscond or indulge in similar offences. Hence, it is urged that the petition is liable to be dismissed.

5. I have heard learned counsel for the parties at considerable

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length and have also perused the material placed on record.

6. The petitioner along with above named two co-accused is alleged to have been apprehended on 29.07.2024. Recovery of 280 grams of heroin was effected from them, which falls under commercial quantity. Hence, the rigors of Section 37 of the NDPS Act would certainly be attracted against the petitioner. A perusal of the status report reveals that the petitioner is facing trial in two more cases under the NDPS Act, whereas he has been convicted in two other cases of similar nature. Apart from this, he is shown to be involved in a case registered against him under the Excise Act. It goes to show that the petitioner is a habitual offender. The apprehension of learned State counsel that if extended benefit of bail, the petitioner may indulge in drug smuggling again cannot be stated to be unfounded keeping in view his criminal antecedents. The trial has commenced and there is nothing on record to suggest that there would be any undue delay in conclusion of trial. The arguments raised by learned counsel for the petitioner with regard to lacunas in the investigation cannot be looked into at this stage as the same is to be decided by the learned trial Court after appreciating the entire evidence and material placed on record before it. Therefore, keeping in view the gravity of allegations as levelled against the petitioner, the quantity of the recovered contraband, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case, this Court is of the considered opinion that he does not deserve to be granted concession of regular bail, at this stage. Accordingly, the present petition is dismissed.

7. It is made clear that any observation made herein above is only

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for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

22.07.2025
Wassem Fawzi

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No