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2025:PHHC:110199



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

CRM M-22351 of 2025 (O&M)
Date of Decision: 21.08.2025

Palwinder Singh

...Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Nandan Jindal, Advocate
for the petitioner.

N.S.SHEKHAWAT, J. (Oral)

CRM 30241 of 2025

1. Allowed as prayed for.
2. Annexures P-3 and P-4 are taken on record subject to all just exceptions.

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3. The petitioner has filed the instant petition under Section 483 of the B.N.S.S., 2023 with a prayer to grant a regular bail in case FIR No.0009 dated 21.01.2025 registered under Section 21(B) of

NDPS Act, 1985 (later on added offence under Section 21 (c) of NDPS Act) at Police Station Sultanwind, District Amritsar.

4. Learned counsel for the petitioner contends that as per the case of the prosecution, on 21st January 2025, the police had arrested the petitioner and Gurwant Singh @ Manga, while they were carrying 130 grams of heroin in their conscious possession without any authority. He further contends that during the course of investigation, Gurwant Singh @ Manga was interrogated by the police and at his instance, 710 grams of heroin was recovered from the house of Gurwant Singh @ Manga. However, no further recovery was effected from the present petitioner. Learned counsel submits that since the quantity of contraband recovered from the accused in the present case initially falls within the ambit of non-commercial quantity. He further contends that the recovery of 710 grams of heroin was effected from the house of Gurwant Singh @ Manga and the petitioner cannot be held accountable for the said recovery. Thus, the case of the petitioner is clearly distinguishable from the case of Gurwant Singh, his co-accused. The petitioner was arrested in the present case on 21.01.2025 and is in custody for the last 07 months. Even, the *challan* has been presented against the present petitioner.

5. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on

the ground that there are serious allegations against the petitioner and the petitioner is not entitled for the concession of regular bail.

6. I have heard learned counsel for the parties and perused the record.

7. In the present case, the petitioner and Gurwant Singh @ Manga were arrested by the police, while they were carrying 130 grams of heroin and the said quantity falls within the ambit of definition of “non commercial quantity”. Moreover, the recovery of 710 grams of heroin was effected from Gurwant Singh @ Manga, which is a separate recovery and the case of the petitioner is on different footing.

8. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

21.08.2025
amit rana

(N.S.SHEKHAWAT)
JUDGE

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