



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

311

CRM-M-27664-2025

Date of decision: 19th November, 2025

Rajinder Singh @ Jugnu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Ms. Anu Bala Garg, Advocate for the petitioner.

Mr. Vivek Sharma, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 15 dated 06.03.2025 registered under Sections 15(b) of Narcotic Drugs and Psychotropic Substance Act, 1985 (for short 'NDPS Act') (Sections 27 and 29 of NDPS Act added later on) at Police Station Sadar Malout, District Sri Muktsar Sahib.

2. As per the allegations, on 05.03.2025, on receipt of a secret information, the accused Raju was apprehended by police party and recovery of 3.500 grams of opium along with drug money of Rs. 35000/- was effected from him. Thereafter, at his instance, another recovery of 07 kgs of opium was effected from his house. Upon interrogation, he suffered disclosure



statement admitting his guilt and disclosed that co-accused Manpreet Singh @ Babbu had purchased 200 grams of opium from him. On 10.03.2025, co-accused Raju has suffered disclosure statement to the effect that the petitioner had taken some opium from him. On the basis of the same, the present petitioner was nominated as an accused and was arrested on the same day. Recovery of 110 grams of opium was effected from him. Some other persons were also nominated in this case based on disclosure statements made by co-accused Raju. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been in custody since 10.03.2025. He was not named in the FIR and has been implicated in this case on the basis of disclosure statement of the co-accused which cannot be considered to be admissible in evidence. A false recovery has been planted upon him and the same is not of commercial quantity. The rigors of Section 37 of NDPS are not attracted against him. His continued detention would not serve any useful purpose. The co-accused Manpreet Singh @ Babbu and Sadhu Singh have been extended benefit of bail. His case has been even better footing. It is, therefore, urged that the petition deserves to be allowed.

4. *Per contra*, learned State counsel has argued that keeping in view the gravity of the allegations as levelled against the petitioner and his antecedents, he does not deserve to be extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length.

6. The petitioner is in custody since 10.03.2025. The recovery is



alleged to be of non-commercial quantity. His involvement in another case cannot be considered to be a reason for denying benefit of bail to him. Co-accused have been extended benefit of bail. Taking into consideration the above stated facts but without meaning to make any comment upon the merits of the case, this Court is of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

19th November, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*