



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

227

CRM-M-30649-2025
Date of decision: 11.09.2025

MANDEEP SINGH ALIAS BABBUPetitioner

Versus

STATE OF PUNJAB ...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Munish Garg, Advocate for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

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
MANDEEP SINGH ALIAS BABBU	0024	23.03.2025	21 and 29 of NDPS Act, 1985	Tappa Mandi	Barnala

2. Recovery in the instant case is of 50 grams of heroin from the possession of the petitioner. Referring to the FIR, counsel argues that a secret information was received by the Police team that petitioner Mandeep Singh @ Babbu, who is a young person, aged about 29 years has been procuring narcotic contraband from one Sourabh Kumar @ Sorab and then selling it at expensive rates in Tapa city and also in the nearby areas.



Upon secret information, petitioner was arrested first, allegedly with the contraband of 50 grams recovered from him and subsequently Sourabh Kumar @ Sorab was also arrested. Counsel further argues that false case has been planted upon the petitioner, because FIR has been registered without even effecting actual recovery from the petitioner. Even compliance of Section 42 of the NDPS Act is completely missing in the present case.

Counsel also argues that co-accused Sourabh Kumar @ Sorab has already been granted the concession of regular bail by this Court vide order dated 08.08.2025, passed in CRM-M-42135-2025. Copy of the said order supplied by counsel for the petitioner during the course of hearing is taken on record.

Counsel further argues that recovered contraband is much less to the commercial quantity i.e. 250 grams, and already petitioner is inside jail for the last about 05 months and 15 days. After completion of the investigation, challan has been submitted on 21.05.2025 and out of total 13 prosecution witnesses, none has been examined.

Counsel also informs that two other co-accused namely Sanjogpreet Singh @ Daivi and Hardeep Singh have been granted the concession of anticipatory bail by this Court vide orders dated 29.07.2025 and 26.08.2025. Counsel argues that petitioner was already known to the police team as he was shown to be involved in one more case i.e. FIR No.19 dated 10.03.2025 but in the said case nothing was recovered from the possession of the petitioner and it was under the allegations of supplying of contraband to the other accused, he thus was made accused under Section 29 of the NDPS Act. In the said case, vide order dated 11.07.2025, petitioner has already been released on bail.



3. On advance notice and in response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 10.09.2025 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has already been handed over to the counsel for the petitioner.

As per custody certificate, petitioner has already undergone 05 months and 15 days period inside jail.

4. Learned State counsel has vehemently opposed the prayer of grant of bail to the petitioner, keeping in view the nature of allegations and the gravity of offence involved herein. He further submits that if the petitioner is granted concession of bail, there is every likelihood of their being absconding from the trial and can indulge in similar kind of activities.

5. This Court has heard the learned counsel for the parties concerned, and has gone through the instant petition.

6. The recovered quantity of 50 grams of heroin is much less than the commercial quantity. Even though it is noticed that petitioner was involved in one more case earlier in time, there was no allegation of recovery of any contraband from him; the allegation was based merely of being a supplier.

There are several issues that require deep examination during the course of the trial. One such issue is the haste in registering the FIR, solely on the basis of receipt of secret information, without waiting for the actual recovery from the accused. The trial is yet to start and is likely to take considerable time; therefore, the petitioner cannot be detained inside jail for an indefinite period. Also, considering the fact that the petitioner is young person, aged about 29 years,



this Court deems it appropriate to grant the concession of bail to the petitioner.

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. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

8. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

9. 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.

10. Petition stands disposed of.

11.09.2025
amandeep

(SANJAY VASHISTH)
JUDGE

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