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

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CRM-M No.34778 of 2025

Date of decision: 22.08.2025

Jaspal Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Barjinder Singh, Advocate,
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

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. 12 dated 28.02.2025, registered under Sections 21, 27-A and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Bhindi Saidan, District Amritsar (Rural).

2. Brief facts of the case relevant for the disposal of the present petition are that on 28.02.2025, co-accused Jagtar Singh was apprehended by a police party and recovery of 60 grams of heroin and drug money of Rs.2500/- was effected from him. Upon interrogation, he disclosed that the petitioner and his brother Harpal Singh were also

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involved with him in selling heroin. On the basis of the same, the petitioner was nominated in this case and was arrested on 13.03.2025 and at his instance, recovery of drug money of Rs. 2500/- was effected. Investigation is still going on.

3. Learned counsel for the petitioner has argued that he has been falsely implicated in this case. He was neither named in the FIR nor was found at the spot. He has been nominated in this case on the basis of the disclosure statement suffered by the co-accused, which is not admissible in evidence. No subsequent recovery of any contraband has been effected from the petitioner. More so, the quantity of the alleged contraband recovered from the co-accused does not fall under commercial quantity. Trial would take some time as even investigation has not yet been completed. The petitioner is in judicial custody since 13.03.2025. No useful purpose would be served by keeping him in custody anymore. Harpal Singh has since been extended benefit of bail. On parity, he too deserves to be given the same benefit. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Status report has been filed. It is argued by learned Assistant Advocate General, Punjab that keeping in view the gravity of the allegations, the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

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6. The petitioner has been nominated in this case on the basis of the disclosure statement suffered by the co-accused. Subsequent to his arrest, no recovery of any contraband has been effected from him. The quantity of the contraband recovered from the co-accused does not fall within commercial quantity. The petitioner is in custody since 13.03.2025. Investigation is still pending. Keeping in view the aforesaid facts and circumstances, I am of the considered opinion that no useful purpose would be served by keeping him in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.
7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.
8. This order shall come into force from the time it is uploaded on this Court’s official webpage.

22.08.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No