



243

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

CRM-M-36338-2025

Date of Decision:31.07.2025

LOVEPREET SINGH ALIAS LOVELY

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Gurpal Singh Sandhu, Advocate
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 BNSS with a prayer to grant regular bail to him in case FIR No.0043 dated 15.05.2025, registered under Sections 21(b) of NDPS Act, 1985, Police Station Bariwala, District Shri Muktsar Sahib.

2. Learned counsel for the petitioner contends that as per the case of the prosecution, the petitioner was allegedly apprehended at the spot with 06 grams of heroin was recovered from him. Even Jagjeet Singh @ Jaggi, co-accused was arrested on 16.05.2025 and 08 grams of heroin was recovered from him also. He further submits that the quantity of contraband in the present case falls within the ambit of 'non-commercial' quantity and the bar contained in Section 37 of the NDPS Act could not apply to the facts of the present case. He



further submits that the police had earlier registered two criminal cases against the petitioner and he is on bail in the said cases.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

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

5. In the present case, 06 grams of heroin was recovered from the petitioner, which is 'non-commercial' in nature and the bar contained in Section 37 of the NDPS Act may not apply to the facts of the present case. The challan has been presented against the petitioner. However, no witness has been examined so far and the conclusion of the trial will take quite a long time. Thus, the further custody of the petitioner will not serve any useful purpose.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

31.07.2025
vipin

(N.S. SHEKHAWAT)
JUDGE

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