



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

240+241

1) CRM-M-36230-2025  
Decided on : 03.11.2025

Amandeep Singh alias Labbu . . . Petitioner(s)  
Versus  
State of Punjab . . . Respondent(s)

2) CRM-M-36684-2025

Jagmeet Singh @ Jugnu . . . Petitioner(s)  
Versus  
State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. B.S. Aulakh, Advocate,  
for the petitioner(s) (in CRM-M-36230-2025).  
  
Mr. Jashandeep Singh Sidhu, Advocate (through V.C.)  
for the petitioner(s) (in CRM-M-36684-2025).  
  
Mr. Vinay Malhotra, DAG, Punjab.  
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SANJAY VASHISTH, J. (Oral)

1. This order shall dispose of CRM-M-36230-2025 & CRM-M-36684-2025, as both the petitions are interconnected and have arisen out of same FIR. However, the lead case is CRM-M-36230-2025.
2. The instant petitions have been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioners, during the pendency of trial, who have been booked in a criminal case arising out of First Information Report, as detailed here-under:-

| Name of Petitioner(s)                                       | FIR No. | Date       | Section(s)         | Police Station | District          |
|-------------------------------------------------------------|---------|------------|--------------------|----------------|-------------------|
| Amandeep Singh alias Labbu (petitioner in CRM-M-36230-2025) | 49      | 09.03.2025 | 22, 27 of NDPS Act | Lambi          | Sri Muktsar Sahib |

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|--------------------------------------------------------------|----|------------|--------------------|-------|----------------------|
| Jagmeet Singh @<br>Jugnu (petitioner in<br>CRM-M-36684-2025) | 49 | 09.03.2025 | 22, 27 of NDPS Act | Lambi | Sri Muktsar<br>Sahib |
|--------------------------------------------------------------|----|------------|--------------------|-------|----------------------|

3. A few facts necessary for adjudication of the cases may be noticed.

As per case of the prosecution, both petitioners, i.e., Amandeep Singh @ Labhu and Jagmeet Singh @ Jugnu alongwith their co-accused, namely; Davinder Singh @ Kalu, were apprehended by the members of the police team when all of them were together. From joint possession of them 25 loose intoxicating tablets were recovered, in which salt ‘Etizolam’ weighing 4.90 gms. has been detected as per FSL report.

4. Learned counsel for the petitioner(s) argues that though the quantity recovered is commercial in nature but from the contents of the FIR it does not become clear that as to who was holding the transparent polythene bag out of the three of the accused. Thus, the case built up is of joint possession, without specifying the actual possessee of the tablets. Moreover, nothing substantial has been recovered from the possession of either of the petitioners and since, joint recovery is shown without any specification, it will be heavily upon the prosecution to prove the element of conscious possession beyond doubt.

5. Learned counsel for the petitioners argues that, both the petitioners have been in custody since 11.03.2024. After completion of investigation, challan has been submitted on 13.08.2025 and now the case is fixed for consideration of the charges. Besides, both the petitioners are of the age of 20 years and 32 years, respectively. Since, the recovery attributed to both the petitioners falls within the notified commercial quantity under the NDPS Act, and the trial is progressing at a slow pace, keeping them detained

for an indefinite period would serve no useful purpose. Hence, learned counsel prays for the grant of concession of regular bail to the petitioners.

6. On the other hand, learned State counsel has filed separate custody certificates dated 02.11.2025 along with one status report dated 17.09.2025 (in CRM-M-36230-2025) in Court today, which are taken on record, subject to all just exceptions. Office to tag the same at the appropriate places. Copies thereof have been handed over to learned counsel for the petitioners.

7. While opposing the prayer for bail, learned State counsel submits that, in view of the recovery of commercial quantity of narcotic contraband, petitioners do not deserve to the concession of bail, without first establishing their innocence. Furthermore, as per status reports filed in both the cases, both the petitioners are involved in four more criminal cases, out of which, two are under the NDPS Act. However, it is fairly conceded that both the petitioners are on bail in NDPS cases. It is also admitted position that they have remained in custody for more than a period of 07 months and 22 days and trial has yet to start, as after completion of investigation and submission of challan, case is now fixed for consideration of the charges before the Ld. Trial Court. Other factual assertions, addressed by learned counsel for the petitioners have also not been disputed.

8. Having heard learned counsel for the parties and perused the record, it is noticed that the recovery effected from both the petitioners falls within the notified *commercial quantity* under the NDPS Act, 1985. Both the petitioners are young individuals, aged about 20 and 32 years, respectively. They have already undergone incarceration for a period of more than seven months and twenty-two days. The investigation stands concluded, the challan

has been presented, and the case is presently fixed before the learned trial Court for consideration of charge. The trial is evidently progressing at a slow pace, and its conclusion is not in the near sight.

9. This Court is conscious of the rigours of Section 37 of the NDPS Act; however, it cannot be ignored that the recovery was allegedly effected from a transparent polythene bag stated to be in the *joint possession* of the petitioners and another co-accused, without any clear specification as to actual possession. Whether the petitioners were in *conscious possession* of the contraband would remain a moot question to be determined at the stage of trial. Moreover, there is nothing on record to suggest that the petitioners have attempted to tamper with evidence, influenced witnesses, or misused the concession of bail in any other case.

In the given circumstances, further incarceration of the petitioners for an indefinite period is not warranted. This Court is inclined to extend them an opportunity to reform and rehabilitate themselves in society instead of keeping them behind bars for an extended duration during trial. Accordingly, while keeping in view the period of custody already undergone, age and antecedents of the petitioners, stage of proceedings, and the slow pace of trial, this Court is satisfied that the rigours of Section 37 of the NDPS Act stand satisfied to a limited extent for the purpose of considering bail. Therefore, this Court deems it appropriate to grant the concession of regular bail to the petitioners.

10. Consequently, prayer made in the present petitions are **allowed**. Petitioners are ordered to be released on bail, subject to their 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.

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

12. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

13. It is further made clear that if, in future, petitioners are directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

**Petitions stand disposed of.**

Pending misc. application(s), if any, also stand disposed of.

Photocopy of this order be placed on the file of other connected case.

**(SANJAY VASHISTH)**  
**JUDGE**

**November 03, 2025**

*J.Ram*

*Whether speaking/reasoned:*      *Yes/No*

*Whether Reportable:*              *Yes/No*