

**CRM-M-37075-2025****-1-****IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****310****CRM-M-37075-2025****Date of Decision: 22.07.2025****LOVEPREET SINGH @ LAVI****... PETITIONER****VERSUS****STATE OF PUNJAB****... RESPONDENT****CORAM : HON'BLE MR. JUSTICE H.S.GREWAL****Present:-** Mr. Nirmaljeet Singh Sidhu, Advocate for the petitioner.**H.S. Grewal, J.(Oral)**

1. This petition has been filed for grant of regular bail under Section 483 of BNSS in case FIR No. 116 dated 22.06.2023 under Sections 21(c) of NDPS Act and later on added Sections 29 of NDPS Act and Section 25 of Arms Act registered at Police Station Talwandi Sabo, District Bathinda.
2. The case of the prosecution is that the accused Sukhdev Singh @ Sona was arrested and 40 grams of Heroin, one 32 bore pistol and one 32 bore revolver with 32 bore live cartridges were recovered from him.
3. Learned counsel for the petitioner submits that the name of the petitioner has not been mentioned in the FIR. The present petitioner has been implicated only on the basis of disclosure statement of the co-accused- Jagdeep Singh @ Jaggu and the same is inadmissible in evidence and cannot be used against the petitioner. He further submits that no recovery has been effected from the petitioner and there is only a disclosure statement against the petitioner. The petitioner is in custody since 14.02.2025.
4. Notice of motion.
5. Mr. Gautam Thapar, Sr. DAG, Punjab accepts notice on behalf of the respondent-State. He vehemently opposes the prayer for grant of regular bail to the petitioner. On asking, he submits that there is only disclosure statement of the

co-accused against the petitioner and no other evidence has come on record. He further submits that the petitioner is involved in two more cases however there is no case under the NDPS Act.

6. I have heard the learned counsel for the parties and perused the record.
7. Keeping in view the facts and circumstances of the case and the fact that there is no other evidence collected by the prosecution against the petitioner except the disclosure statement made by the co-accused. No recovery has been effected from the petitioner. Moreover, rule is bail not jail. Since the continuous detention of the petitioner would not serve the ends of justice, this Court deems it a fit case to grant the concession of regular bail to the petitioner during the pendency of the trial.
8. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.
9. It is clarified that if on bail so granted through the instant order, the applicant is found indulging in any other criminal case it shall be open to the State to seek cancellation of his bail.
10. Pending applications, if any, shall also stand disposed of.

22.07.2025

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(H.S.GREWAL)

JUDGE

Whether speaking/reasoned

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Yes/No

Whether reportable

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Yes/No