



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

CRM-M-42245-2025
Date of decision: 29.09.2025

GURPREET SINGH

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present: Mr. Manpreet Singh, Advocate
 for the petitioner.

Mr. Gorav Kathuria, DAG, Punjab.

YASHVIR SINGH RATHOR, J. (Oral)

1. This is first petition under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case FIR No.85, dated 10.06.2025, registered at Police Station Nathana, District Bathinda under Sections 21(a), 27 & 29 of NDPS Act.

2. Learned counsel for the petitioner as well as learned State counsel have been heard and material collected by the police during investigation has been perused.

3. As per prosecution case, one Gurpreet Singh @ Peeta S/o Lakhveer Singh was apprehended by the police on 10.06.2025 and 03 grams of heroin was recovered from his possession. On interrogation, petitioner was nominated as an accused and he was arrested on 17.06.2025. Thereafter, he got recovered 150 tablets of Alprazolam, 0.5 mg and the total contraband recovered falls within non-commercial quantity.



4. Learned counsel for the petitioner contended that petitioner was nominated as an accused by the main accused Gurpreet Singh @ Peeta and thereafter, false recovery has been planted upon the petitioner. Petitioner is in custody since 17.06.2025. Learned trial Court has rejected the bail only on the ground that he is involved in three more cases under NDPS Act but it cannot be a ground to reject bail in the present case. The investigation and trial is likely to take sufficiently long time to conclude and no useful purpose will thus be served by detaining the petitioner in custody any more and he may be released on bail. In support of his contentions, learned counsel has cited the judgment of Hon'ble Supreme Court reported as Law Finder Doc.id# 1670858 titled as **“Prabhakar Tewari Vs. State of U.P. and Another”**

5. On the other hand, learned State counsel has opposed the bail and argued that petitioner has committed a heinous offence. He is a habitual offender and is involved in seven cases in all, which include three cases under NDPS Act in the same police station. However, in view of his past conduct, he does not deserve the concession of regular bail.

6. The quantity recovered from the petitioner is non-commercial. Petitioner is in custody since 17.06.2025 and even, FSL report has not been received as yet. Hon'ble Supreme Court in **Prabhakar Tewari's case** (supra), has held that pendency of several cases cannot be made a ground to decline bail and the bail application has to be decided on the basis of relevant material collected during investigation in the present case. The investigation and trial will certainly take a long time to conclude and in these circumstances, further detention of the petitioner is not required and he is entitled to be released on bail.

7. Having regard to the aforesaid factual position, but without commenting anything on the merits of the case, the bail application is allowed and petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.
8. Pending misc. application(s), if any, shall also stand disposed of.

29.09.2025
Priyanka Thakur

(YASHVIR SINGH RATHOR)
JUDGE

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