

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

251

CRM-M-49681-2024 (O&M)
Date of Decision:- 21.05.2025

LOVEPREET SINGH ALIAS LABHI ALIAS LABBI

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. G.S. Aulakh, Advocate for the petitioner.

Mr. Roshandeep Singh, AAG Punjab.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 483 BNSS, 2023 for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
36	22.04.2023	22(C) NDPS Act	Kotbhai, District Sri Muktsar Sahib

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He submits that the petitioner is in custody since 22.04.2023 and challan has already been presented in Court and the conclusion of trial will take sufficient long time. He further submits that similarly situated co-accused

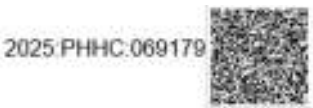


Jaskaran Singh and Rajwinder Singh have been granted the concession of bail by this Court vide orders dated 19.03.2024 passed in CRM-M-64276-2023 and 26.03.2025 passed in CRM-M-20596-2024 respectively. Thus prays for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the reply filed by the State has opposed the petition. He has, however, not disputed the fact that the case of the petitioner is at par with of co-accused Jaskaran Singh and Rajwinder Singh who have been granted the concession of bail (*supra*).

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it is observed that as per the case of prosecution, the police party had apprehended the petitioner along with co-accused Rajwinder Singh and Jaskaran Singh, who were carrying a plastic bag. Two of them were holding the plastic bag from two corners, while the third person was checking inside the bag. As per the case of prosecution, 2350 tablets of Tramadol Hydrochloride were recovered from them. Admittedly, similarly situated co-accused Jaskaran Singh and Rajwinder Singh have been granted bail by this Court vide orders dated 19.03.2024 and 26.03.2025 respectively (*supra*). Even otherwise, it is debatable that handing of the property in the manner as alleged by the police would constitute conscious possession on the part of the petitioner and other co-accused. The petitioner was arrested on 22.04.2023 and since then he is in custody. After the completion of investigation, challan has been presented in Court, wherein the prosecution has cited 24 witnesses and only 01 witness has been examined till date. The



petitioner is not having any criminal antecedents and considering the pace with which the trial is moving, the conclusion of trial to ascertain the criminal liability, if any, of the petitioner will take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.

6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. It is further made clear that in case the petitioner is again found involved in any case under NDPS Act, in future, after his release on bail, it will be open for the prosecution to move an application for cancellation of his bail in accordance with law.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

21.05.2025
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No