

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

207

2025:PHHC:172488



CRM-M-50623-2025 (O&M)
Date of decision: 10.12.2025.

GAGANDEEP SINGH

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Kulwinder Singh Dhillon, Advocate,
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in case bearing FIR No.140 dated 27.10.2024, under Section(s) 21 C, 23, 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, under Sections 10, 11 and 12 of the Air Craft Act, 1934 and Sections 303(2) and 341(2) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Dera Baba Nanak, District Gurdaspur, Punjab.

2 Learned counsel appearing on behalf of the petitioner submits that the FIR in the present case was initially registered against unknown persons upon

receipt of information by the police that a packet had been thrown in certain fields. Acting on this information, the police recovered 1 kg 500 grams of heroin from the fields of one Sarabjit Kaur in village Pakhoke, Tehsil Dera Baba Nanak, District Gurdaspur. On the following day, the police received secret information that four individuals namely Sunny, Vijay, Gagandeep and Vishal @ Lovepreet were searching for drugs in the said fields, whereupon the petitioner was arrested. He contends that no recovery of any kind was effected from the petitioner thereafter. Counsel further contends that neither any contraband has been recovered pursuant to the petitioner's disclosure statement nor there is any evidence as would establish the connection between the petitioner as well as the contraband that was seized by the police. It is further submitted that the petitioner has been in custody since 28.10.2024 and that only 2 out of 26 prosecution witnesses have been examined so far. Counsel submits that the petitioner is not involved in any other case under the NDPS Act.

4 State counsel does not dispute the facts noticed above.

5 Having heard the learned counsel for the parties and taking into consideration the absence of link evidence as would associate the petitioner with the recovered contraband, the stage of the trial, age of the petitioner i.e. 22 years, absence of any criminal antecedents as well as the period of actual custody already undergone by the petitioner, I deem it appropriate to allow the present petition. Accordingly, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

6 It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or

indirectly.

7 The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

December 10, 2025.	(VINOD S. BHARDWAJ)
raj arora	JUDGE
<i>Whether speaking/reasoned</i>	: <i>Yes/No</i>
<i>Whether reportable</i>	: <i>Yes/No</i>