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

CRM-M-54146-2025

Date of Decision: 29.09.2025

Gourav @ Gaurav

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Amit Sharma, Advocate, for the petitioner.

Mr.Raj Karan Singh, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached this Court by way of present petition praying for granting regular bail in case FIR No.29 dated 14.05.2025 under Sections 22 and 27(a) of NDPS Act, 1985 and Section 111(2) of BNS, 2023, registered at Police Station Payal, District Khanna.

2. Succinctly, facts of the case are that on 14.05.2025, the Police party while on patrolling were going to village Dhamot Kalan via Dana Mandi, then near Dana Mandi, they saw five young persons sitting in a suspicious situation inside the godown. On seeing the police, they got perplexed and tried to escape and one of them wearing turban took out an envelop from his pocket and threw it on the floor. However, they were apprehended. On asking, the person who threw the envelope, disclosed his name to be Ripudaman Singh @ Dippy, Inderjeet Singh, Baghel Singh @ Bella, Balkar Singh @ Bagi and Ravinder Singh @ Ravi. They were suspected to be carrying some contraband and thus, offer for search was given. On conducting the search, 06 grams of heroin was recovered from Inderjeet Singh, 140 narcotic tablets were recovered from Ripudaman Singh @ Dippy, drug money of Rs.6,000/- were recovered from Baghel Singh @ Bella. They failed to produce any licence regarding possession of the same. Thus, the FIR was registered and they were arrested on the spot. Samples



taken were sent to the FSL. On registration of the FIR, the investigation commenced. During the investigation, Ripudaman Singh @ Dippy made a disclosure statement about complicity of Karanvir Singh and thus, he was arrayed as accused and arrested on 14.05.2025 itself. Thereafter, Karanvir Singh disclosed about the complicity of the petitioner i.e. Gaurav and thus, he was also arrayed as an accused and arrested on 15.05.2025. The petitioner approached the Court of learned Special Judge, Ludhiana praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 13.08.2025. Hence, the petitioner has approached this Court praying for grant of bail by way of filing the present petition.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely and frivolously implicated in the present case. He submits that neither the petitioner has been named in the FIR, nor any recovery has been effected from him. He submits that it is on the disclosure statement of co-accused the petitioner has been arrested. He submits that even otherwise, the alleged recovery effected from the co-accused is 06 grams of heroin, whereas as per the schedule of NDPS Act, small quantity of heroin is 05 grams. He has submitted that though the petitioner has been falsely implicated in other case, however, he is on bail in that case. He, thus, submits that the petitioner having been falsely implicated in the present case, deserves to be granted regular bail.

4. *Per contra*, learned State counsel has opposed the submissions made by counsel for the petitioner. He has submitted that complicity of the petitioner has been surfaced during the investigation. He submits that challan is presented and charges are framed, however, till date no



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prosecution witness has been examined. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the alleged recovery effected in the present case is 06 grams of heroin, which is just above the small quantity of heroin i.e. 05 grams. Challan is presented and charges are framed. The petitioner is behind bars since 15.05.2025. The custody certificate would reflect that he has suffered incarceration of 04 months, 10 days as on 26.09.2025. Though he is involved in one more case, however, he is on bail in that case

6. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time to conclude. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on furnishing his bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

29.09.2025

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Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No