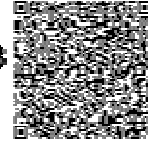


2025:PHHC:092238



**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

1. CRM-M-55917-2024 (O&M)

Arshpreet Singh @ Ashpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

2. CRM-M-1178-2025 (O&M)

Amanpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

Date of decision : 29.07.2025

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Ms. Manjot Kaur, Advocate
for the petitioners.

Ms. Sakshi Bakshi, AAG, Punjab.

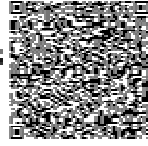
MANISHA BATRA, J. (Oral)

1. This common order shall dispose of above mentioned two petitions as they arise out of the same FIR and seek similar reliefs.

2. Prayer in these petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 66 dated 23.06.2024, registered under Sections 15, 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Shambu, District Patiala.

3. Brief facts of the case relevant for the disposal of the present petitions are that on 23.06.2024, a secret information was received by Inspector Amanpal Singh to the effect that the petitioners, who are real brothers, were indulged in bringing poppy husk and intoxicating powder from other states in

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their truck bearing registration number PB-11-BK-7465 and were habitual of selling the same on higher price in Punjab in their car bearing registration number CH-01-BN-6464. It was also informed that on the said day, they were trying to load their car with poppy husk and intoxicating powder. Believing the information to be reliable, a raid was immediately conducted at the house of the petitioner and co-accused. They found that petitioner Arshpreet Singh was sitting inside the car, whereas petitioner Amanpreet Singh was standing outside. Both of them were apprehended. Upon search of the said car, recovery of 500 grams of intoxicating powder containing Tramadol Hydrochloride and 20 kgs. poppy husk was effected. Since they could not produce any valid license or permit to keep in their possession the recovered contraband, they were formally arrested at the spot. After completion of usual formalities and necessary investigation, *challan* was presented in the Court and presently, the petitioners are facing trial for commission of aforementioned offences.

4. Learned counsel for the petitioners has argued that they have been falsely implicated in this case. When the raid was conducted at the house of the petitioners, the entire incident was recorded in the CCTV camera but the police had taken away the same forcibly. However, still the act and conduct of the police got captured in a CCTV camera installed in the neighbourhood. Two pen drives containing those CCTV footages have been placed on record and a perusal of the same would reveal that the petitioners were apprehended from their house but they have been shown to be arrested by the police by laying a *naaka* far away from their house. In fact, the reason for their false implication is that previously a quarrel had taken place between father of the petitioners and one Malkiat Singh, who is relative of a Sub Inspector posted at Police Station

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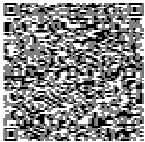
Shambu and it is only on that account that they have been implicated in this case. In fact, the police officials had taken some jewelries and cash amount of Rs. 58,000/- along with a scooty from the house of the petitioners. Even otherwise, investigation stands completed and *challan* has been filed. Conclusion of trial is likely to take time. The petitioners are in custody since 23.06.2024. No useful purpose would be served by keeping them in custody anymore. Therefore, it is urged that the petitions deserve to be allowed and the petitioners deserve to be released on regular bail.

5. Separate status reports have been filed by the respondent-State. It is submitted therein and learned Assistant Advocate General, Punjab has argued that keeping in view the gravity of the allegations, the petitioners are not entitled to get benefit of bail. The allegations levelled by the petitioners against the police officials are patently false and baseless. It is, thus, argued that the petitions are liable to be dismissed.

6. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

7. As per the allegations, the petitioners were apprehended on 23.06.2024 from outside their house in village Mohi Khurd. Recovery of 500 grams of intoxicating powder containing Tramadol Hydrochloride and 20 kgs. of poppy husk was effected from them. The quantity of the intoxicating powder falls under the commercial quantity. It is the claim of the petitioners that although they were apprehended from their house but the police had shown their arrest from a distant place and in this regard, they have placed on record two pen drives containing CCTV footages of the incident happened on 23.06.2024. Although, no relevance can be given to these video footages at this stage,

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however, still they were played on the computer of the Court, wherein it was seen that the police party had reached in a street and had stopped in front of a house and thereafter, they had apprehended the petitioners. Moreover, the status reports filed by the respondent-State nowhere say that the petitioners were apprehended by laying any barrier at any place. Since commercial quantity of Tramadol Hydrochloride along with 20 kgs. of poppy husk has been recovered from the petitioners, the rigors of Section 37 of the NDPS Act would certainly be attracted to them. Trial is going on at a proper and there is nothing on record to show that there would be any undue delay in conclusion of the same. Keeping in view the discussion as made above, the quantity of the contraband recovered from the petitioners, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case, I am of the considered opinion that the petitioners do not deserve to be granted benefit of regular bail, at this stage. Hence, the petitions are dismissed.

8. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petitions and the same shall not be construed as an expression of opinion on the merits of the case.

9. Let a photocopy of this order be placed on the file of the connected cases.

29.07.2025
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No