

2025:PHHC:167052



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.59694 of 2025
Date of Decision: 02.12.2025

Sandeep Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Umesh Aggarwal, Advocate,
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
25	02.02.2025	Chheharta, District Police Commissionerate Amritsar	21(b) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short ‘NDPS Act’) (27-A of NDPS Act added later on)

2. As per the allegations, on 02.02.2025, the petitioner and co-accused were found coming on foot from the side of Village Kale. On noticing the police officials while performing checking duty, they

2025:PHHC:167052



immediately turned back. One of them tried to throw an envelope after taking out the same from the right pocket of his pant. Both of them were apprehended. The petitioner Sandeep Singh who was trying to throw the envelope was questioned and disclosed that he was carrying heroin. On checking, 50 grams of heroin was found to be kept in the envelope which was taken into possession. The petitioner and co-accused were formally arrested. They suffered disclosure statements on the basis of which Sonia was nominated as co-accused. Investigation now stands concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. A false recovery has been planted upon him. He is in custody since 02.02.2025. The rigors of Section 37 of NDPS Act have not been attracted in this case. He has clean antecedents. His further incarceration would not serve any useful purpose. The trial will take considerable time to conclude. With these broad submissions, it is urged that he deserves to be released on bail.

4. Per contra, learned Assistant Advocate General, Punjab has argued that taking into consideration the gravity of the allegations as levelled against the petitioner, he does not deserve to be released on bail.

5. This Court has considered the rival submissions.

6. The petitioner along with the co-accused is alleged to be found in conscious possession of 50 grams of heroin which is of non commercial quantity. He is in custody since 02.02.2025. The trial will take time to conclude. It is well settled proposition of law that pre trial incarceration

2025:PHHC:167052



detention of the petitioner is not going to serve any useful purpose. The detention prior to trial should not become punitive. Given the nature of the allegations as levelled against the petitioner, the quantum of sentence which the conviction may entail and the attendant facts and circumstances peculiar to the case but without meaning to make any comment on the merits of the case, this Court is of the considered opinion that the petition deserves to be allowed. Accordingly, the same is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

02.12.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No