

2025:PHHC:162937



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

210

CRM-M-64782-2025

Date of Decision: 21.11.2025

GURPREET SINGH @ GOPI @ LADDU

... Petitioner

VERSUS

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL.

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

Mr. Rishabh Singla, AAG, Punjab.

H.S. GREWAL, J. (ORAL)

This petition has been filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case FIR No.141 dated 01.09.2025 under Sections 21(B) and 27(A) of NDPS Act, 1985 registered at Police Station Sultanwind (Police Commissionerate Amritsar), District Amritsar.

2. The case of prosecution is that on 01.09.2024, the police party was on patrolling duty in search and detection of crime near Lichian Wala Bagh, Khalsa Nagar. The police team reached near the motor-room of the garden, where they saw two young boys sitting over there. One of them was holding a black polythene in his right hand, who, upon seeing the police party, suddenly stood up and tried to enter the motor-room while trying to throw the black polythene. However, the I.O. caught hold of him with his wrist. Upon checking, some heroin along with drug money was recovered. Upon enquiry, the boy told his name as Gurpreet Singh @ Laddu (petition herein) son of Narinder Singh.

Upon weighing the contraband, it came to be 08 grams of heroin and the drug amount was Rs.700/- (Seven currency notes of Rs.100/-denomination). Thereafter, the police party completed all the formalities and arrested the petitioner in the present case.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. The police did not abide by the legal formalities and arbitrarily arrested the petitioner in the present case. The petitioner is a young boy of 21 years and his entire future is at stake. Moreover, the recovery has not been effected in the presence of any independent private witness. The petitioner has already undergone a custody of two months and sixteen days and the trial of the case is yet to commence and the same is likely to take a long time to conclude. Counsel for the petitioner further submits that the petitioner is not involved in any other case under the NDPS Act and the present one is the first case. He, therefore, prays for grant of regular bail to the petitioner.

4. Notice of motion.

5. Mr. Rishab Singla, AAG, Punjab accepts notice and vehemently opposes the petition for grant of bail and has filed the custody certificate dated 20.11.2025 in the Court today, which is taken on record. He further submits that as per custody certificate, the petitioner is in custody for the last 02 months and 16 days. He further submits that the petitioner is involved in various other criminal cases, details of which have been duly given in the custody certificate. He further submits that the petitioner is a habitual offender and such a person is

better to be kept behind bars and as such, the petitioner does not deserve the concession of bail. Hence, he prays for dismissal of the present petition.

6. I have heard the learned counsel for the parties and perused the record.

7. Undoubtedly, the petitioner is involved in various other criminal cases, but the learned State Counsel is not in a position to deny that this is the first case against the petitioner registered under NDPS Act. He could not even deny that the trial of the case is yet to commence and it may take a long time to conclude. The speedy trial is a material right of an accused, which could not be infringed and he cannot be kept behind bars for long, especially when his guilt is yet to be proved in accordance with law. Hence, this Court deems it appropriate to grant the concession of regular bail to the petitioner at this stage.

8. Keeping in view the facts and circumstances of the case that the petitioner has already undergone custody of 2 months and 16 days and the trial is yet to commence, which may take a long time to conclude, this Court is of the opinion that the petitioner deserves the concession of regular bail. Moreover, bail is rule and jail is exception. Since the continuous detention of the petitioner would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial.

9. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

10. It is clarified that if while on bail so granted through the instant order, the petitioner is found indulging in any other criminal case, it shall be open to the State to seek cancellation of his bail.
11. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

NOVEMBER 21, 2025.
Rajender

(H.S. GREWAL)
JUDGE

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