



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

220

CRM-M-68009-2025 (O&M)

Date of decision: 08.12.2025

Kuldeep Singh @ Mani

...Petitioner(s)

VERSUS

State of Punjab

...Respondent(s)

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

Present :- Mr. Ankit Bhardwaj, Advocate for
Mr. B.S. Jaswal, Advocate for the petitioner(s).

Mr. Mohit Kapoor, Sr. DAG Punjab.

VINOD S. BHARDWAJ, J. (Oral)

1. The instant petition has been filed for grant of regular bail to the petitioner(s) in case bearing FIR No.150 dated 16.09.2025, registered under Section(s) 21(b)/27(a) [Section 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 added later on] of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sultanwind, District Police Commissionerate Amritsar.

2. It is a case of chance recovery. The relevant extract of the FIR as mentioned in paragraph No.3 of the petition reads thus:-

“I SI alongwith ASI Gurmej Singh No. 3200/ASR, ASI Vikramjit Singh no. 1115/ASR, CT Daljit Singh no.2536/ASR, along with the private laptop printer, was travelling in a government vehicle number PB65-BG-5228 whose driver is HC Manjinder



Singh number 1411 ASR and were on Patrolling and search of suspicious persons. When the police party reached near the Patti Maulke village of Sultanwind near to Madhiya while patrolling, two young shaven boys were seen sitting on a bench in Madhiya, one of whom was holding something wrapped in a black wax envelope in his right hand. Seeing the police party's vehicle coming. he suddenly stood up in panic and tried to throw the wax envelope that he was holding in his hand. The SI caught him with the help of the other police officers, he was caught by his wrist and asked about the contents in the black wax envelope. That he told in envelope contained some heroin and some money in cash which received after selling some heroin. The heroin and drug money had been recovered expeditiously. There was no opportunity get to proceed further with the investigation. Then SI sent HC Manjinder Singh No. 1411 ASR to join any public witness. He came after a while and informed that no public witness could be join in the police party. Then SI in the presence of the fellow employees, he opened the ESAKSHYA APP on his mobile phone and started videography by HC Manjinder Singh No. 1411 ASR and then asked the names and addresses one by one. Out of them, the one who having the black wax envelope told his name as Karan Kumar alias Pedu son of Dayal Singh, resident of Mohalla Valmiki, Patti Malke, village Sultanwind, Amritsar and the



other boy told his name as Kuldeep Singh alias Mani son of Kahan Singh, resident of Near Deva Temple, Patti Malke, village Sultanwind, Amritsar. After that, the SI opened the black wax envelope and checked it. From the wax envelope, heroin and some cash drug money were recovered. The recovered heroin was weighed by the SI with a digital weigh machine. The transparent wax envelope contained 8.5 grams of heroin, which was recovered as 8.5 grams. The SI prepared a parcel by putting the heroin in a separate box of transparent wax envelope and sealed the parcel heroin with his seal letter SS and counted the recovered drug money which was 01 note of Rs. 200 and 02 notes of Rs. 100/100. Total recovery was Rs. 400 Indian currency drug money which was recovered which was put in the same black wax envelope and put the wax envelope in a cloth bag and prepared the parcel and sealed both the parcels with his seal letter SS. Sample was prepared separately. Form No. 4 was completed and after sealing, the same was handed over to ASI Gurmej Singh No. 3200/ASR. That recovered 8.5 grams parcel heroin and one parcel of cloth containing Rs. 400 Indian currency drug money, all sealed with letter SS, along with sample stamp SS and Form No. 4, was seized by the SI as evidence in the police custody through separate seizure. The seizure was prepared as per the seizure protocol. The seizure report was signed by the accused Karan



Kumar alias Pedu and Kuldeep Singh alias Mani and the witnesses gave their respective testimonies that above said accused Karan Kumar alias Pedu and Kuldeep Singh alias Mani had 8.5 grams heroin and Rs. 400 Indian currency drug money in their possession, committing the crime under section 21-B, 27-A, 61/85 NDPS ACT.”.

3. Learned counsel for the petitioner contends that the recovery of 8.5 grams of heroin along with ₹400/- was effected from the co-accused, Karan Kumar @ Pedu, who was merely stated to be accompanied by the petitioner. He further contends that no contraband whatsoever was recovered from the petitioner. Counsel further submits that the petitioner has been in custody since 16.09.2025, is not involved in any other criminal case and is a young man of 27 years whose future prospects would be gravely prejudiced by prolonged incarceration. It is also contended that the investigation is still underway and that the trial is likely to take a long time for its conclusion.

4. Learned counsel for respondent-State does not dispute the aforesaid factual aspects.

5. Having heard learned counsel for the parties and upon consideration of the fact that the alleged recovery of contraband was effected from the co-accused, Karan Kumar @ Pedu, coupled with the petitioner's clean antecedents and further noting that the investigation is still in progress and the conclusion of the trial is likely to take considerable time, I deem it fit to allow the instant petition.

6. Accordingly, the instant petition is allowed and the petitioner is



ordered to be admitted to regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate concerned.

7. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

8. 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.

(VINOD S. BHARDWAJ)
JUDGE

08.12.2025
Mangal Singh

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