

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

201

2025:PHHC:178967



CRM-M-71324-2025 (O&M)
Date of decision: 24.12.2025.

SUNNY

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

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

Present :- Mr. Kulwinder Singh Dhillon, Advocate,
for the petitioner.

Ms. Savi Nagpal, AAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in case bearing FIR No.140 dated 27.10.2024, under Section(s) 21C, 23, 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, Sections 10, 11 and 12 of the Air Craft Act, 1934 and Sections 303(2) and 341(2) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Dera Baba Nanak, District Gurdaspur, Punjab.

2 Briefly summarised, the present FIR was initially registered against unknown persons upon the police receiving information that a packet

had been thrown into certain fields. Acting upon the said information, the police recovered 1 kg and 500 grams of heroin from the fields of one Sarabjit Kaur, situated in village Pakhoke, Tehsil Dera Baba Nanak, District Gurdaspur. On the following day, the police received further secret information that four persons, namely Sunny, Vijay, Gagandeep and Vishal @ Lovepreet, were searching for drugs in the said fields, pursuant where to the petitioner was apprehended.

3 Learned counsel for the petitioner submits that no recovery of any nature whatsoever has been effected from the petitioner. It is contended that neither has any contraband been recovered pursuant to the disclosure statement of the petitioner, nor is there any material on record to establish any nexus between the petitioner and the contraband recovered by the police. It is further submitted that the petitioner has been in custody since 28.10.2024 and that, out of a total of 26 witnesses cited by the prosecution, only 2 witnesses have been examined so far. Counsel submits that the petitioner is not involved in any other case under the NDPS Act and the has been specifically averred in para No.14 of the present petition. He further contends that similarly placed co-accused of the petitioner namely Gagandeep Singh, from whom also no recovery of any nature whatsoever was effected, has already been granted the concession of regular bail by this Court vide order dated 10.12.2025 passed in CRM-M-50623-2025 (Annexure P-2).

4 State counsel does not dispute the facts noticed above.

5 Having heard the learned counsel for the parties and taking into consideration the period of actual custody already undergone by the petitioner, the stage of the trial, the absence of any involvement of the petitioner in any other criminal case under the Narcotic Drugs and Psychotropic Substances

Act, 1985, and further noticing that similarly placed co-accused - Gagandeep Singh, from whom also no recovery of any nature whatsoever was effected, has already been granted the concession of regular bail by this Court vide order dated 10.12.2025 passed in CRM-M-50623-2025, I deem it appropriate to allow the present petition. Accordingly, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

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

7 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.

December 24, 2025.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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