

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



**CRM-M-2859-2026 (O&M)
Date of Decision: 30.03.2026**

**LOVEPREET SINGH ... PETITIONER
STATE OF PUNJAB VERSUS ... RESPONDENT**

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

Present:- Mr. S.S.Rangi, Senior Advocate with
Mr. Didar Singh, Advocate for the petitioner.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) in FIR No.90 dated 08.11.2024 registered under Sections 21-C, 23, 29 of Narcotic Drugs and Psychotropic Substances Act at Police Station 'C' Division, District Police Commissionerate, Amritsar.

2. The case of the prosecution is that on the basis of secret information, Baljinder Singh alias Babbu, Gagandeep Singh alias Gagan and Gurinder Singh alias Ginder were apprehended and on their respective disclosure statements, 2 kg of heroin was recovered at their demarcation. The petitioner has been nominated in the present FIR on the basis of the disclosure statement made by the co-accused.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. Apart from the disclosure statement of the co-accused, there is no other evidence to connect the petitioner with the alleged recovery of the contraband. He further

submits that the petitioner is in custody for the last 01 year, 04 months and 10 days and is not involved in any other case. He, thus, prays for grant of bail to the petitioner.

4. Notice of motion.

5. Mr. Rohit Hans, D.A.G., Punjab accepts notice on behalf of the State and vehemently opposes the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations. Learned State counsel has filed the custody certificate in Court, which is taken on record. He further submits that as per the custody certificate, the petitioner is in custody for the last 01 year, 04 months and 10 days and out of total cited 25 prosecution witnesses, none has been examined so far.

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

7. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case that apart from the disclosure statement of the co-accused, there is no other evidence to connect the petitioner with the alleged recovery of the contraband; the petitioner is in custody for the last 01 year, 04 months and 10 days and is not involved in any other case; charges have been framed and out of total cited 25 prosecution witnesses, none has been examined so far; the conclusion of trial is likely to take time and 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. Moreover, '*bail is rule and jail is exception*'.

8. 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 bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

10. It is clarified that 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.

30.03.2026
Janki

(H.S.GREWAL)
JUDGE

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