



235

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

**CRM-M No.6465 of 2026  
Date of Decision: 10.02.2026**

**Jaswinder Singh****.....Petitioner****versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ****\*\*\*\*\***

Present :- Ms. Gagandeep Kaur, Advocate  
for the petitioner.

Mr. Surinderjit Singh Nahar, Asstt. A.G., Punjab.

**\*\*\*\*\*****RAJESH BHARDWAJ, J. (Oral)**

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.175, dated 27.12.2025, under Sections 21/61/85 of NDPS Act, 1985, registered at Police Station Chhajli, District Sangrur.

2. Succinctly, the facts of the case are that the police party, while on patrolling on 27.12.2025, saw a young man coming from the fields, who was carrying a heavy envelope in his hand. On seeing the police, he got perplexed and tried to turn back after throwing the heavy transparent plastic bag. However, on suspicion, he was apprehended and on asking, he disclosed his name to be Jaswinder Singh, i.e. the petitioner. He was suspected to be carrying some contraband in the transparent plastic bag having been thrown by him and thus, the same was searched.



On conducting the search of transparent polythene bag, 05 grams of heroin was recovered. He failed to produce any licence regarding the conscious possession of the same, thus, the FIR was registered and he was arrested on the spot. On registration of the FIR, the investigation commenced. The samples taken were sent to the FSL. The petitioner approached the Court of learned Judge, Special Court, Sangrur praying for the grant of bail. However, after hearing both the sides and finding no merit in the same, the learned Judge, Special Court, Sangrur, declined the bail application filed by the petitioner vide order dated 09.01.2026. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely and frivolously implicated in the present case. She has submitted that the alleged recovery has been effected in the present case from the public place, however no independent witness has been joined. She has submitted that there is a violation of mandatory provisions of Section 50 of NDPS act in conducting the search. She has submitted that the alleged recovery effected from the petitioner is 05 grams of heroin only, which even otherwise is a small quantity and thus, the provisions of Section 37 of NDPS Act are not attracted. She has submitted that the petitioner was earlier falsely involved in one other case, however, he is on bail in that case. She has submitted that the petitioner is behind bars since 27.12.2025, however there is no progress in the trial. He has submitted that in the facts and circumstances of the case, the petitioner deserves to be granted bail.



4. *Per contra*, learned State counsel has opposed the submissions made by counsel for the petitioner. He has submitted that the petitioner was specifically named in the secret information. He has submitted that on due compliance of provisions of NDPS Act, the contraband weighing 05 grams of Heroin was recovered from the petitioner and the petitioner was arrested on the spot. He, on instructions, has submitted that the case is under investigation. He has produced custody certificate of the petitioner today in the Court, which is taken on record.

5. Heard.

6 On hearing learned counsel for the parties and perusing the record, it is deciphered that the case of prosecution is based on the secret information. The alleged recovery in the present case is of 05 grams of Heroin, which is a small quantity. The petitioner is behind bars since 27.12.2025. Custody certificate produced would show that the petitioner has suffered an incarceration of 01 month and 12 days as on 09.02.2026. It further reflects that the petitioner is involved in one more case, however, he is on bail in that case.

7. This Court would refrain itself from commenting anything on the merits of the case. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time.

8. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail.



9. Accordingly, the present petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

10.02.2026

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Whether speaking/reasoned

Whether reportable

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Yes/No

Yes/No

( RAJESH BHARDWAJ )  
JUDGE