



CRM-M-8636-2025

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

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Decided on :16.02.2026

Lovejit Singh @ Labhu

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Komal Mohindra, Advocate for
Mr. Satwant Mehta, Advocate for the petitioner.

Mr. Vinay Malhotra, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No.0174 dated 02.09.2024, under Section 21/29 NDPS Act, registered at Police Station City Tarn Taran District Tarn Taran.

2. Accused in the present case, namely Mangaljeet Singh @ Manga and Lovejeet Singh @ Labu, were travelling together on a motorcycle bearing registration No. PB-02-DC-1112. From the left pocket of the jeans worn by accused Mangaljeet Singh @ Manga, 270 grams of heroin was recovered. However, nothing was recovered from the possession of the petitioner.

3. Learned counsel for the petitioner submits that the petitioner is in custody since 02.09.2024, i.e., for the last about 01 year, 05 months, and 09 days. He further contends that, admittedly, no narcotic contraband was recovered from the petitioner's possession. Although the quantity

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involved is commercial in nature, it cannot be conclusively inferred that the petitioner had knowledge of the contraband concealed in the pocket of his co-accused, Mangaljeet Singh @ Manga. It is thus argued that, in the absence of conscious possession of the recovered heroin, the petitioner cannot be said to be involved in the present case.

Moreover, the antecedents of the petitioner are stated to be clean, as he has not been found involved in any other similar offence. Accordingly, learned counsel prays for the grant of bail.

4. Learned State counsel has filed custody certificate in Court today. Same is taken on record. Registry is directed to tag the same at appropriate place with the paper book.

5. Learned State counsel opposes the prayer for bail, by submitting that petitioner was apprehended at the spot while travelling with the co-accused, from whose possession 270 grams of heroin (commercial quantity) was recovered. It is contended that both were in joint possession of the contraband, thereby attracting the rigours of Section 37 of the NDPS Act. Accordingly, prays for dismissal of present petition.

6. I have heard learned counsel for the parties and have carefully perused the paper-book, along with the documents appended thereto, including the status report.

7. Considering that no narcotic contraband was recovered from the possession of the petitioner, and there is no direct evidence to suggest that he had any knowledge of the heroin recovered from his co-accused,

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coupled with the fact that his antecedents are clean and he has already undergone a substantial period of incarceration since 02.09.2024, granting bail would provide the petitioner an opportunity to reintegrate into society and pursue a normal course of life, thereby facilitating his rehabilitation. In view of the above, this Court finds merit in the petitioner's prayer. Accordingly, present petition is allowed.

Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

9. It is further made clear that if, in future, the petitioner is found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.

10. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

16.02.2026***Rashmi***

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No