

2026.PHHC.050285



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

205

CRM-M-9610-2026

Date of decision: 2nd April, 2026

Palwinder Singh @ Guggar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Saurabh Singla, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 26 dated 08.03.2025 registered under Sections 21-B, 27-A and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Ranjit Avenue, Amritsar.

2. As per the allegations, on 08.03.2025, the petitioner and co-accused Harpreet Singh @ Motta were apprehended on the basis of suspicion, as on seeing the police officials, one of them had thrown an envelope kept in his pocket. On conducting search, 150 grams of *heroin* was recovered from the same which was taken into possession. The petitioner and co-accused were formally arrested. Investigation now stands completed.

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3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. A false recovery has been planted upon him. No recovery has been effected from his conscious possession. The provisions of Section 50 of NDPS Act were not complied with. He has been in custody since 08.03.2025. The recovery of contraband is of non-commercial quantity. The provisions of Section 37 of NDPS Act are not attracted in this case. Co-accused Harpreet Singh has been extended benefit of regular bail. On parity, he too deserves to be released on bail. It is, therefore, argued that the petition deserves to be allowed.

4. Status report has been filed by respondent-State. Learne State counsel has argued that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be released on bail. There are chances of his absconding or committing similar offences, if extended benefit of bail. Therefore, it is argued that the petition does not deserve to be allowed.

5. This Court has heard the rival submissions made by learned counsel for the parties at considerable length.

6. The recovery as allegedly effected from the petitioner and co-accused, is of non-commercial quantity of contraband. The petitioner is in custody since 08.03.2025. The co-accused whose case is on similar footing has been extended benefit of bail. The trial is likely to take considerable time to conclude. No useful purpose would be served by detaining the petitioner in custody anymore. Taking into consideration the facts as discussed above and

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on parity, this Court is of the considered opinion that continued detention of the petitioner is not going to serve any fruitful purpose. Accordingly, the petition is allowed, and the petitioner is ordered to be released on bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

7.

It is, however, clarified that the observations made above shall not be construed as an expression of opinion of this Court on the merits of the case and shall not influence the outcome of the trial in any manner.
8.

Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

2nd April, 2026
Parveen Sharma

1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No