



CRM-M-12634-2026 (O&M) -1-

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

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**CRM-M-12634-2026 (O&M)
Decided on: 16.04.2026**

AMANPREET SINGH @ AMNA @ ATTWADI

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Anmol Puri, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

SUBHAS MEHLA, J. (Oral)

1. The present petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, seeking grant of regular bail in case bearing FIR No.39 dated 08.04.2025 under Sections 305, 331(3), 317(2) of BNS and Sections 22, 27, 29 of NDPS Act, 1985 registered at Police Station Nurpur Bedi, District Rupnagar.
2. Briefly stated, the present FIR has been registered by the complainant namely, Prince Kumar, wherein he has stated that he is care taker of Mata Naina Devi Temple, situated in Village Bhatto, PS Nurpur Bedi. On 07.04.2025 at about 4:00 pm when he came back to the temple from his house, he saw that the donation box of the temple was missing. Some women working there told him that they had seen the persons



stealing the donation box and could identify them. As such, an FIR was registered under Sections 305, 331(3) of BNS. During investigation, on receipt of a secret information that on 07.04.2025, two youngsters had committed theft in the temple of village Bhatto, the present petitioner was apprehended. Subsequently, during the interrogation, the petitioner disclosed that he is habitual of consuming intoxicant substance and used to purchase intoxicant powder from Balachaur and sell the same to others. It was further disclosed by the petitioner, that on 07.04.2025, he alongwith his friend Kachu Ram had stolen the donation box from the temple of Mata Naina Devi and used the money to purchase intoxicant substance. Allegedly on the basis of the said disclosure statement of the petitioner, 10 grams intoxicant powder (Alprazolam) was recovered and offence under Sections 317(2) of BNS and Sections 22, 27 and 29 NDPS were added later on.

3. Learned counsel for the petitioner contended that the petitioner has been falsely involved in the present case; no recovery has been effected from his conscious possession and the alleged recovery of 10 grams of Alprazolam, has been planted upon him; it is further submitted that the said quantity falls within the category of non-commercial quantity and therefore, rigors of Section 37 of NDPS Act, 1985 are not attracted in the present case; he has been in custody since 09.04.2025; co-accused namely, Amit Rana @ Kachu Rana has already been granted the concession of regular bail vide order dated 04.09.2025 passed by the learned Judge, Special Court, Rupnagar (Annexure P-2);



the petitioner is involved in 12 more FIRs, out of which 02 FIRs have been registered under the NDPS Act, 1985; trial will take sufficient time to conclude; the petitioner has been remanded to judicial custody and his custodial interrogation is not required; the petitioner is stated to have been in custody for more than a period of one year and as such, prays for concession of regular bail.

4. Notice of motion.

5. Mr. Sandeep Kumar, DAG, Punjab, who is present in Court, accepted notice on behalf of respondent-State, and by way of filing of custody certificate dated 15.04.2026, opposed the concession of regular bail to the petitioner and submitted that initially the petitioner was apprehended in a case of theft of a donation box from a temple, however, during interrogation, 10 grams of Alprazolam were recovered from the petitioner. He submitted that although the quantity of the said contraband falls in the category of non-commercial quantity, the petitioner is involved in other cases. He, however, fairly admits that the petitioner is in custody for a period of 01 year and 06 days.

6. Heard.

7. Keeping in view the facts and circumstances of the case and the fact that the contraband recovered from the petitioner falls under the category of non-commercial quantity; the petitioner is stated to be involved in 12 more cases out of which two FIRs are under the NDPS Act, and in one of the cases under the NDPS Act, the petitioner has undergone the sentence whereas in another case, he is on bail; the present



petitioner is in custody for a period of more than 01 year; trial will take sufficient time to conclude and no fruitful purpose would be served by keeping him in custody for any further period, as concession of bail cannot be denied just as a measure of punishment as culpability is to be decided by trial Court after appreciating evidence adduced by the parties, and it is a trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

7. 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 bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. Nothing observed herein shall be construed as an opinion on the merits of the main case.

(SUBHAS MEHLA)
JUDGE

16.04.2026

Sonia Puri

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO