

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

234

**CRM-M No.16237 of 2026
Date of decision : 12.5.2026
Date of uploading : 13.5.2026**

Pawanpreet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Yajur Sharma, Advocate, for the petitioner

Mr. Hemant Aggarwal, DAG, Punjab

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.6 dated 16.1.2026 under Sections 21, 27-A and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985, Section 111 of Bharatiya Nyaya Sanhita, 2023 and Section 25 of Arms Act, registered at Police Station Tarsikka, District Amritsar (Rural).

2. The gravamen of the FIR in question is that on a secret information, raid was conducted at an abandoned brick kiln, village Jabbowal and 3 persons; namely Sandeep Singh @ Seepa, Akashdeep Singh @ Akash and Sherpreet Singh @ Gulaba were apprehended. On their personal search, a polythene containing heroin (5 grams), ₹2200/-



and one .30 bore pistol was recovered from Sandeep Singh @ Seepa. One .30 bore pistol and 5 live cartridges were recovered from Akashdeep Singh @ Akash. One Glock 9 mm pistol and 2 live cartridges were recovered from Sherpreet Singh @ Gulaba. The petitioner was apprehended on 20.1.2026 on the disclosure statement of above named co-accused Sherpreet Singh @ Gulaba.

3. Learned counsel for the petitioner has urged that the petitioner is in custody since 21.1.2026. Learned counsel has further argued that the petitioner has been primarily implicated into the FIR in question on account of disclosure statement of co-accused Sherpreet Singh @ Gulaba. Learned counsel has further urged that the conclusion of investigation as also trial, emanating therefrom, will indubitably take long. Learned counsel has further submitted that no effective recovery has been made from the petitioner directly. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 11.5.2026 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 21.1.2026. The matter is still under investigation. Completion of investigation as also the trial, emanating therefrom, will take long. The petitioner was roped in the FIR



in question on the disclosure statement of co-accused and nothing has been recovered from him. The rival contentions raised at Bar give rise to debatable issues which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1 As per custody certificate dated 11.5.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 3 months and 20 days. As per the said custody certificate, the petitioner is stated to be involved in 2 more FIRs. Indubitably, the antecedents of a person are required to be accounted for while considering a regular bail petition preferred by him. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in *Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586*; a Division Bench judgment of the Hon'ble Calcutta High Court in case of *Sridhar Das v. State, 1998 (2) RCR (Criminal) 477* & judgments of this Court in *CRM-M No.38822-2022* titled as *Akhilesh Singh v. State of Haryana*, decided on 29.11.2021, and *Balraj v. State of Haryana*,

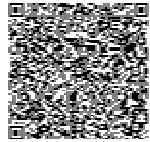
***1998 (3) RCR (Criminal) 191.***

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.



- 9. Ordered accordingly.
- 10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

12.5.2026
Ashwanii

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