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

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CRM-M-16171-2026 (O&M)
Date of decision: 01.04.2026

Sarwan Singh @ Samma**...Petitioner**

Versus

State of Punjab**...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Rajat Dogra, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 7 dated 11.01.2026, registered under Sections 21, 27-A and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Chattiwind, District Amritsar (Rural).

2. Brief facts of the case relevant for the disposal of the present petition are that on 11.01.2026, the petitioner along with co-accused Gurwinder Singh @ Mota was apprehended by a police party on suspicion. On conducting search, recovery of 30 grams of heroin was effected from conscious possession of co-accused Gurwinder Singh @ Mota, whereas drug money of Rs.4400/- was recovered from the personal search of the present petitioner. Both of them were formally arrested. Challan is yet to be filed.

3. Learned counsel for the petitioner has submitted that he has

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been falsely implicated in this case. No recovery of any contraband has been effected from him. It was co-accused Gurwinder Singh @ Mota, from whom, the aforementioned recovery of 30 grams of heroin was effected. The recovered money was not the drug money. He has clean antecedents. Even otherwise, the quantity of the recovered contraband does not fall under commercial quantity. The petitioner is in judicial custody since 11.01.2026. Trial will take considerable time to conclude as even challan has not yet been filed. No useful purpose would be served by keeping him in custody anymore. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Custody certificate of the petitioner has been filed by the respondent-State. It is submitted by learned State counsel that keeping in view the gravity of the allegations levelled against the petitioner, he is not entitled to get benefit of bail. Hence, it is urged that the petition is liable to be dismissed.

5. This Court has heard the rival submissions.

6. The petitioner is in custody since 11.01.2026. The quantity of the contraband allegedly recovered from the co-accused does not fall under commercial quantity. No contraband has been recovered from the petitioner. Challan has not yet been filed, which means it will take considerable time in conclusion of trial. The petitioner is not shown to be involved in any other case. Keeping in view the aforesaid facts, this Court is of the considered opinion that no useful purpose would be served by keeping him in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing

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personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

01.04.2026
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No