

2026 PHHC 050363



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

CRM-M-16445-2026

Date of decision: 2nd April, 2026

Gagandeep Singh @ V Gaggi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Bharat Julka, 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. 248 dated 17.10.2025 registered
under Sections 21(b) and 27(a) of Narcotic Drugs and Psychotropic
Substances Act, 1985 (for short, '*NDPS Act*') at Police Station City Kotakpura,
District Faridkot.

2. As per the allegations, on 17.10.2025, the petitioner was found
in conscious possession of 06 grams 30 milligrams of *heroin* and drug money
to the tune of Rs. 8000/- had also been recovered from him. He was formally
arrested. Investigation now stands concluded.

3. It is argued by learned counsel for the petitioner that he has been

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falsely implicated in this case. A false recovery has been planted upon him which is of non-commercial quantity. The rigors of Section 37 of NDPS Act are not attracted qua him. No drug money was recovered from him. He is not required for further investigation. Trial will take considerable time to conclude. No useful purpose would be served by detaining him in custody anymore. It is, thus, argued that he deserves to be released on bail.

4. Notice of motion.

5. Learned State counsel has advance notice of the petition, while placing on record custody certificate, it is argued by him that keeping in view the gravity of the allegations, the petitioner 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 stressed that the petition does not deserve to be allowed.

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

7. The petitioner is in custody since 17.10.2025. Investigation now stands completed. No fruitful purpose would be served if he is detained in custody anymore. Trial will take considerable time to conclude. Taking into consideration the nature of the subject offences, the period spent by the petitioner in custody and the attendant facts and circumstances of the case but without meaning to make any comment upon the merits thereof, this Court is of the considered opinion that the petition deserves to be allowed. Accordingly, the same is allowed and the petitioner is ordered to be released on bail subject

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to his furnishing personal/surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned.

8. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

2nd April, 2026
Parveen Sharma

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|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |