



CRM-M-19578-2026

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-19578-2026

Decided on :29.04.2026

Damanpreet

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Rakesh Kumar, Advocate for the petitioner.

Mr. Vinay Malhotra, DAG, Punjab.

-:-

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS (corresponding Section 439 Cr.P.C.) seeking regular bail in case FIR No.12 dated 23.01.2026, under Sections 21-B, 27A, 29, 61, 85 of NDPS Act, registered at Police Station A Division, District Amritsar.

2. As per the case of the prosecution, the petitioner, along with co-accused namely Karan Singh, was travelling on an Activa scooter bearing registration No. PB-02-EW-8518. Upon being intercepted by the police team, search was conducted, and from polythene bag allegedly thrown by the petitioner after taking it out from the right pocket of his jacket, 9 grams of heroin were recovered.

3. Learned counsel for the petitioner submits that the recovery effected from the petitioner is of a non-commercial quantity. It is further submitted that petitioner is a young boy aged 18 years and is not involved in any other case. Co-accused, namely Karan Singh, has already been granted the concession of regular bail by this Court vide order dated 17.04.2026 passed in CRM-M-19358-2026. Counsel further submits that the petitioner is in custody for a period of more than three months.

Therefore, counsel prays for the grant of regular bail to the petitioner.

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4. On the other hand, learned State counsel opposes the grant of regular bail to the petitioner, submitting that petitioner was apprehended along with co-accused while they were travelling together on a scooter and from the contraband allegedly thrown by the petitioner, 9 grams of heroin was recovered. It is further submitted that though the quantity may be non-commercial, petitioner's active involvement in the recovery and his conduct in attempting to dispose of the contraband clearly indicate his culpability. It is also contended that the petitioner is a conscious offender and there is every likelihood of his indulging in similar activities if released on bail. Accordingly, learned State counsel prays for dismissal of present petition.

5. I have heard learned counsel for the parties and perused the paper-book.

6. Considering the fact that petitioner is stated to be 18 years of age and is not involved in any other case, and further considering that the co-accused has already been granted the concession of regular bail by this Court, as also the fact that the alleged recovery is of a non-commercial quantity, this Court is of the considered view that the petitioner deserves to be afforded the concession of bail. Moreover, petitioner is in custody for a period of more than three months. Accordingly, no useful purpose would be served by keeping the petitioner in further custody.

Thus, without expressing any opinion on the merits of the case, present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the

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learned trial Court/ Chief Judicial Magistrate/Illaqa Magistrate/ Duty

Magistrate concerned, if not required in any other case.

7. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

8. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

29.04.2026***Rashmi***

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No