



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH  
(215)

**CRM-M-23801-2026 (O & M)**  
**Date of decision: 05.05.2026**

Gurpreet Singh

.... Petitioner

V/s

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present: Mr. Manminderjit Singh, Advocate,  
for the petitioner.

Mr. M.S. Toor, AAG, Punjab.

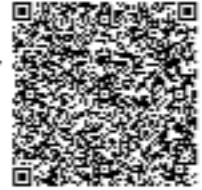
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**JASJIT SINGH BEDI, J. (Oral)**

The prayer in the present petition under Section 483 BNSS (Sections 439 Cr.P.C.) is for the grant of regular bail to the petitioner in case FIR No.273 dated 10.10.2025 under Sections 21 NDPS Act (later on Sections 21(C), 29, 61 and 85 NDPS Act added later on as per challan dated 25.02.2026) registered at Police Station ANTF, District Fazilka.

2. As per the prosecution case, Gurpeet Singh (petitioner) was the driver of a motor cycle and Vickramjeet Singh (since granted the concession of bail vide order dated 21.04.2026, Annexure P-3) was a pillion rider thereof. The recovery of 355 grams of heroin was effected from the right pocket of the jeans worn by Gurpreet Singh.

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. The recovery



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memo contains the FIR number prior to the registration of the FIR. Therefore, there appears to be manipulation and fabrication in the memo while sitting in the police station. There is violation of the mandatory provisions of the Act regarding search and seizure such as Section 50 of the NDPS Act. A co-accused/Vickramjeet Singh has been granted the concession of bail. As the petitioner is in custody since 10.10.2025, he too is entitled to the concession of bail.

4. The learned counsel for the State, on the other hand, contends that the effect of the FIR number being mentioned in the recovery memo prior to the registration of the FIR would be seen during the course of the Trial. The recovery of commercial quantity of contraband has been effected from the right pocket of the jeans worn by the petitioner. In view of the provisions of Section 37 of the NDPS Act the petitioner is not entitled to the concession of bail.

5. I have heard the learned counsel for the parties.

6. Commercial quantity of contraband has been recovered from the petitioner. The co-accused of the petitioner was granted the concession of bail since it would be a moot point during the course of the Trial as to whether a pillion rider could be said to be in conscious possession. The effect of the FIR number having been mentioned in the recovery memo shall be examined during the course of the Trial. In terms of Section 37 of the NDPS Act, this Court cannot record a finding that the petitioner has not committed the offence and is not likely to commit one in the future.



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7. In view of the above, I find no merit in the present petition and the same stands dismissed.
8. The pending application(s), if any, shall stand disposed of accordingly.

May 05, 2026  
sukhpreet

( JASJIT SINGH BEDI)  
JUDGE

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