



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(214)

CRM-M-26497-2026(O&M)
DATE OF DECISION:15.05.2026

Akashdeep Singh

.....Petitioner

VERSUS

State of Punjab

.....Respondent

CORAM HON'BLE MR. JUSTICE SUBHAS MEHLA

Present Mr.S.S.Sandhu Advocate, for the petitioner.
Ms. Navreet K. Barnala, Asstt. AG, Punjab.

SUBHAS MEHLA, J (ORAL)

1. Present petition has been filed under Section 483 of BNSS, 2023 for grant of **regular bail** to the petitioner in case bearing FIR No.37 dated 12.03.2026, under Sections 21(b), 27(a), 25, 61 and 85 of NDPS Act, 1985, registered at Police Station Division A, Police Commissionerate Amritsar, District Amritsar (Annexure P-1).

2. Allegations against the present petitioner are that he was found in conscious possession of 20 grams *heroin*, which falls within the ambit of 'intermediate quantity'.

3. Learned counsel for the petitioner prays for grant of regular bail to the petitioner on the following grounds:

- i. That the petitioner is in custody for the last more than two months;
- ii. That the alleged recovered contraband i.e 20 grams *heroin*, falls within the ambit of intermediate quantity;
- iii. That the petitioner is not involved in any other criminal activity except the present case;
- iv. That the petitioner is not required for investigation purposes etc. as he was remanded to judicial custody;



v. That the trial is likely to take considerable time and no useful purpose would be served by keeping the petitioner behind the bars.

4. On the other hand, Ms. Navreet K. Barnala, Asstt. AG, Punjab, appears on behalf of respondent/State and files custody certificate of the petitioner, same is taken on record. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner on the following grounds:

- i. That 20 grams *heroin* was recovered from the conscious possession of petitioner which falls within the ambit of intermediate quantity and
- ii. That as per custody certificate, petitioner is not having clean antecedents.

5. Heard.

6. Taking into consideration the contentions of the learned counsel for the petitioner as well as learned State counsel and the totality of the circumstances of the case, this Court is of the considered view that concession of bail cannot be denied just as measure of punishment, as culpability of the accused will be decided at the final stage by the trial Court after appreciating the evidences adduced by both sides, and it is trite principle of criminal jurisprudence that bail is rule, jail is an exception. Accordingly, this Court deems it a fit case to grant the concession of regular bail to the petitioner on the following aspects:

- i. That the petitioner is in custody for the last two months;
- ii. That since the petitioner has already been remanded to judicial custody, he, is not required for investigation purposes etc.;
- iii. That alleged contraband recovered i.e 20 grams *heroin* falls within the ambit of intermediate quantity;



iv. That trail will take sufficient time to conclude and no useful purpose would be served by keeping the petitioner behind the bars.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is **allowed**. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. All pending misc. applications, if any, be also disposed of.

15.05.2026
mamta

(SUBHAS MEHLA)
JUDGE

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