



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

Sr.No.243

**CRM-M-28207-2026
Decided on : 29.05.2026**

Jugraj Singh @ Jaggo

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present : Ms. Komalpreet Kaur, Advocate
for the petitioner.

Mr. Rahul Jindal, AAG, Punjab
for the respondent(s)-State.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.66 dated 13.03.2026, registered under Sections 21, 27(a), 29, 61, 85 of the Narcotic Drugs & Psychotropic Substances Act, 1985, at Police Station Jandiala Guru, District Amritsar Rural.
2. Brief facts as per the prosecution case are that on 13.03.2026, ASI Jatinderpal Singh alongwith his fellow police officials was on patrolling and on the basis of secret information, apprehended the petitioner, who was found in conscious possession of 07 grams of heroin and Rs.1300/- drug money. Hence, the present FIR.



3. Learned counsel for the petitioner contends that the petitioner is innocent and has been falsely implicated in the present case. She further contends that the allegations levelled against the petitioner are false and he has no concern with the said offence. Learned counsel contends that the mandatory provisions of the NDPS Act were not complied with at the time of alleged search and seizure. She further contends that the recovery of alleged contraband has already been effected from the petitioner, which falls under the non-commercial quantity and nothing more is to be recovered from him. The petitioner is in custody since 13.03.2026 and he has clean antecedents as he is not involved in any other case. The investigation in this case is still going on. She further submits that the trial will take a long time to conclude and no useful purpose would be served by keeping the petitioner behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. Learned State counsel has filed the status report as well as custody certificate which are taken on record. He has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. However, he has not controverted the fact that the petitioner is the first time offender as he is not involved in any other case.

5. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last more than 02 months and 15 days; he has clean antecedents as he is not involved in any other case; the investigation in this case is still going on and the fact that trial may take a long time to conclude, no useful purpose would be served by detaining the petitioner in further custody. His continued detention without the prospect of the trial being concluded in the



near future would be violative of his rights under Article 21 of the Constitution of India.

6. Reliance in this regard is placed upon a judgment of the Hon’ble Supreme Court of India in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein Hon’ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle “*bail is a rule*” and “*jail is an exception*”.

7. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

29.05.2026
mamta

(RUPINDERJIT CHAHAL)
JUDGE

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