



206

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

**CRM-M-32900-2026
DECIDED ON: 10.06.2026**

HARMANDEEP SINGH ALIAS DEEPAK**.....PETITIONER(S)****VERSUS****STATE OF PUNJAB****.....RESPONDENT(S)****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Angel Walia, Advocate
for the petitioner (through Hybrid Mode)
Mr. Satnam Preet Singh Chauhan, DAG Punjab

SANDEEP MOUDGIL, J (ORAL)**1. Prayer**

The jurisdiction of this Court has been invoked under Section 483 of BNSS (erstwhile section 439 Cr.P.C) with prayer for grant of concession of Regular Bail to the petitioner in FIR No. 75 dated 04.04.2026, registered under Sections 21(b)/27(a) NDPS, at Police Station Chheharta, Amritsar, Punjab (Annexure P-1) in the interest of justice.

2. Contentions:**On behalf of the petitioner**

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that the alleged recovery of 60.37 grams of heroin was not effected from his conscious possession. He further argues that, as per the prosecution case, upon noticing the police party, the petitioner allegedly threw away a black plastic bag from the right pocket of his trousers, abandoned his

motorcycle, and attempted to flee from the spot. Learned counsel contends that the said version of the prosecution is highly improbable and does not inspire confidence.

On behalf of the State

On the other hand, learned State Counsel has filed the custody certificate of the petitioner, which is taken on record. According to which, the petitioner has been incarcerated for a period of 2 months 2 days.

Learned State Counsel has failed to show any incriminating material against the petitioner.

3. **Analysis**

Considering the fact that the alleged recovery of contraband, i.e., 60.37 grams of heroin, was not effected from the conscious possession of the petitioner and that the quantity involved is non-commercial in nature, coupled with the fact that the petitioner has clean antecedents and is not involved in any other criminal case, this Court is of the considered view that the petitioner has made out a case for the grant of regular bail.

4. **Relief:**

In view of the discussions made hereinabove, the petitioner is hereby directed to be released on regular bail on furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

In the afore-said terms, the present petition is hereby allowed.

However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

(SANDEEP MOUDGIL)
JUDGE

10.06.2026

Meenu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No