



CRM-M-51599-2025

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

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Decided on :11.02.2026

Lovepreet Singh @ Labu

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Vikas Gupta, Advocate for the petitioner.

Mr. Rahul Jindal, Asst. A.G., Punjab.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of the BNSS, seeking regular bail in FIR No. 185 dated 09.10.2024, under Sections 21-C, 61,85 of NDPS Act, registered at Police Station Chehharta, District Amritsar.

2. As per the allegations in the FIR, there was secret information regarding the petitioner's involvement in the business of selling heroin, as well as the further supply of the narcotic in Amritsar City and its surrounding areas.

3. Learned counsel for the petitioner submits that upon receipt of the secret information, and even before the actual recovery of the contraband, i.e., heroin, the ruka was forwarded for registering FIR under



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Section 21-C of the NDPS Act. Learned counsel further contends that, subsequently, the recovery of 500 grams of heroin was shown to have been effected from a blue-colored bag hanging around the petitioner's neck. Counsel argues that it clearly indicates to be a false case, as “**anti-timed**” FIR has been registered in the instant case, which is, unfortunately, a common practice in the State of Punjab.

4. To strengthen his submission, he points out that Section 21-C of the NDPS Act was invoked in the FIR even before the actual recovery of the contraband. Said provision is applicable when there is recovery of commercial quantity from the accused; therefore, without prior knowledge, it was neither possible nor foreseeable for the investigating or arresting officer to have an idea or even knowledge prior in time, about the quantity, which was yet to recover.

5. Learned counsel further submits that present one is the first case registered against petitioner under the NDPS Act, which appears to be a planted one. There is no prior history of involvement in similar activities. Petitioner is in custody since 09.10.2024. Although charges have been framed, but none of the 14 prosecution witnesses has been examined so far. Thus, trial is likely to take considerable time. Accordingly, he prays for the grant of regular bail.

6. Learned State counsel opposes the prayer for bail but has not offered any explanation as to how the FIR was registered under Section 21-C of the NDPS Act prior to the recovery of the contraband.

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7. I have heard the learned counsel for the parties and have carefully perused the paper-book along with the appended documents, including the status report.

8. Considering the facts of the case, including that FIR was registered under Section 21-C of the NDPS Act even before the actual recovery of the contraband, petitioner's first-time involvement in any such offence, absence of prior criminal record, and likelihood of a prolonged trial with none of the 14 prosecution witnesses examined so far, this Court finds merit in the prayer for bail.

Consequently, present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. 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.

10. For apprising the functioning of the Investigating Officer(s) in the State of Punjab, and in view of the concern that this Court has repeatedly expressed in several cases regarding the registration of potentially anti-timed FIRs, a copy of this order be sent to the Director General of Police, Punjab.



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11. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

11.02.2026
Rashmi

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