

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

125

2026:PHHC:037308



CRM-M-55642-2025 (O&M)
Date of decision: 11.03.2026.

PARVINDER SINGH @ GAGGI

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. S. S. Maini, Advocate,
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in case bearing FIR No.0094 dated 14.03.2025, under Section(s) 21(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station City Faridkot, District Faridkot.

Tersely, on 14.3.2025, police party headed by ASI Hakam Singh, apprehended accused Sunil Singh, Varinder Singh @ Ghugga and Parwinder Singh @ Gaggi with City Honda car bearing no. DL-1C AF-8334 and recovered 302 grams heroin along with polybag from their possession,

without any permit and licence.

Learned counsel appearing on behalf of the petitioner contends that the alleged recovered heroin was lying in front near the gear lever while the petitioner was a pillion rider. He contends that the petitioner has clean antecedents and is not involved in any other case. He submits that it would be an arguable issue to be determined during trial as to whether the petitioner can be deemed to be in conscious possession as there is no evidence collected on the basis whereof conscious possession of the petitioner may be established. He submits that the petitioner is in custody since 14.03.2025 and has already undergone an actual custody for a period of nearly one year. He submits that the trial in the case is yet to commence and there are total 13 witnesses cited by the prosecution who are to be examined.

State counsel, on the other hand, is not in a position to dispute the facts as noticed above.

Having heard the learned counsel for the parties and taking into consideration that there are arguable issues with respect to the conscious possession of the petitioner; clean antecedents of the petitioner; the period of custody already undergone by the petitioner which is nearly one year and the stage of the trial where the trial is yet to commence, I deem it appropriate to allow the present petition. Accordingly, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

March 11, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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