



CRM-M-60818-2025

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

120

CRM-M-60818-2025

Decided on :07.04.2026

Gurpreet Singh alias Gopi

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Sukriti Gupta, Advocate for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

-:-

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS (corresponding Section 439 Cr.P.C.) seeking regular bail in case FIR No.0031 dated 25.09.2024, under Sections 21 and 29 of NDPS Act and Section 25 of Arms Act, registered at Police Station Fatehgarh Panjtoor, District Moga.

2. As per the prosecution, petitioner was sitting on an Activa scooter as the last pillion rider behind his two co-accused, namely Lovejeet Singh @ Lovely and Manpreet Singh @ Mani. During the search, 500 grams of heroin and a .32 bore pistol along with three live cartridges were recovered from the dickey of the Activa scooter, while the driving seat of the scooter was occupied by Lovejeet Singh @ Lovely.

3. Learned Counsel for the petitioner submits that petitioner, who is in custody since 25.09.2024, had no knowledge of the articles lying in the dickey of the Activa scooter, and therefore, it is for the prosecution to prove the charges against him beyond a reasonable doubt. Counsel further submits that co-accused, namely Jagpal Singh, has already been granted the concession of regular bail by the co-ordinate

**CRM-M-60818-2025****2**

Bench of this Court vide order dated 26.03.2025 passed in CRM-M-598-2025.

In view of the above, Counsel prays for the grant of regular bail to the petitioner.

4. On the other hand, learned State Counsel submits that petitioner was sitting on the Aactiva scooter along with co-accused at the time of recovery of 500 grams of heroin and .32 bore pistol with three live cartridges. Counsel further submits that the petitioner's role in the incident cannot be considered minor, and considering the nature and quantity of the contraband recovered, the matter is serious. Therefore, learned State counsel prays for dismissal of present petition.

5. I have heard learned counsel for the parties and perused the paper-book alongwith the appended documents.

6. Considering the fact that, admittedly, no narcotic contraband was recovered from the personal search of the petitioner, and the scooter in question does not belong to him, and further noticing that the element of conscious possession or knowledge to the petitioner, regarding the contraband lying in the dickey, is yet to be established, this Court is of the view that no substantial purpose would be served by keeping the petitioner any longer inside jail.

Accordingly, without expressing any opinion on the merits of the case, 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/Illaqqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

**CRM-M-60818-2025****3**

7. 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.

8. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

07.04.2026***Rashmi***

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No