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

**CRM-M-66009-2025
Date of decision: 12.02.2026**

RAVINDERDEEP SINGH ALIAS ARJUN ….Petitioner

Versus

STATE OF PUNJAB ....Respondent

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Sohan Singh Rana, Advocate for the petitioner.

Mr. Jasdeep Singh, Addl. A.G. Punjab.

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RUPINDERJIT CHAHAL, J. (ORAL)

1. Prayer in the instant petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in case FIR No.180 dated 03.08.2025 registered under Sections 21, 27A, 61, 85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Jandiala, District Amritsar (Rural).

2. Brief facts of the present case, as per the prosecution, are that on 03.08.2025, ASI Hardial Singh along with his fellow police officials was on a patrolling duty and on the basis of suspicion, apprehended the petitioner who was found in conscious possession of 24 grams of *Heroin* and Rs.1,550/- drug money. Hence, the present FIR.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has no concern with the said offence. He further contends that mandatory provisions of the NDPS Act were not complied with at the time of alleged search and seizure. He argued

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that the recovery of alleged contraband has already been effected from the petitioner and nothing more is to be recovered from him. He submits that the petitioner has clean antecedents as he is not involved in any other case. The petitioner is in custody since 03.08.2025. He submits that the matter is still under investigation and the challan is yet to be presented. He further submits that the trial will take a long time to conclude and no useful purpose would be served by keeping him behind the bars.

4. Notice of motion.

5. Learned State counsel who has appeared on advance notice has filed the custody certificate and has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature as he was apprehended at the spot with the alleged contraband. However, he has not controverted the fact that the petitioner is first time offender as he is not involved in any other case.

6. 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 06 months, investigation is still underway; challan is yet to be presented and the fact that trial may take a long time to conclude, no useful purpose would be served by detaining him 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.

7. Reliance is placed upon a judgment 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

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of her 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"*.

8. 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.

(RUPINDERJIT CHAHAL)
JUDGE

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i) Whether speaking/reasoned? Yes/No

ii) Whether reportable? Yes/No

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