



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-67350-2025 (O&M)

Date of decision: 09.03.2026

Amritpal Singh @ Kaka

...Petitioner(s)

VERSUS

State of Punjab

...Respondent(s)

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

Present :- Mr. Rishu Mahajan, Advocate for the petitioner(s).

Mr. Mohit Kapoor, Sr. DAG Punjab.

VINOD S. BHARDWAJ, J. (Oral)

1. This first petition has been filed for grant of regular bail to the petitioner(s) in case bearing FIR No.131 dated 15.05.2025, registered under Section(s) 21(C)/25/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Gharinda, Amritsar.

2. Learned counsel appearing on behalf of the petitioner contends that as per the case of the prosecution, a secret information was received to the effect that the petitioner alongwith his brother-Sahibdeep Singh @ Sabu and mother-Balbir Kaur, are jointly involved in the trade of selling *heroin*. They were informed to be coming to Attari side from their village on a motorcycle to supply *heroin* and in the event of their apprehension, the recovery could be effected. He contends that as per the case set up by the prosecution, barricading was done so as to intercept and apprehend the petitioner and other persons named in the secret information. It is further

reported that the petitioner, alongwith his brother and mother, was coming on a motorcycle and on seeing the police party, the brothers absconded on the motorcycle while the mother was left with the contraband. He contends that the alleged recovery of 1 kg. 500 grams of *heroin* was effected from Balbir Kaur. He contends that the petitioner was nominated as an accused on the disclosure of his mother. It is contended that the entire version of the FIR seems to be highly improbable, as the petitioner is stated to have asked his mother to get off the motorcycle and to have run away with his brother while leaving the contraband with the mother. He further contends that the contraband has already been recovered from the mother and no other recovery has been effected i.e. at the instance or disclosure of the petitioner. He submits that the petitioner has been in custody since 16.05.2025 and the trial has yet not commenced. He further submits that a total of 13 witnesses, cited by the prosecution, are also to be examined and hence, the trial would take a long time in its conclusion. It is also submitted that the petitioner is not involved in any other criminal case.

3. Learned counsel for respondent-State does not dispute the aforesaid factual aspects.

4. Having heard the learned counsel for the parties and taking into consideration facts and circumstances as noted above, including the young age of the petitioner i.e. 18 years, his clean antecedents, the nature of allegations and circumstances shrouding the case and pertaining to his escape and also coupled with the fact as to whether he could be deemed to be in joint possession of contraband which already stands recovered from his mother, the period of actual custody undergone by the petitioner, I am of the

opinion that the present petition deserves to be allowed.

5. Accordingly, the instant petition is allowed and the petitioner is ordered to be admitted to regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate concerned.

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

7. 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.

(VINOD S. BHARDWAJ)
JUDGE

09.03.2026

Mangal Singh

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