

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:043241



127

CRM-M-67562-2025 (O&M)
Date of decision:18.03.2026

Arshdeep Singh @ Kalu

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ruhani Chadha, Advocate for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed by the petitioner seeking benefit of regular bail in case arising out of FIR No.212, dated 25.12.2024, registered under Section 21 of the NDPS Act (offence under Section 29 of the NDPS Act was added lateron), at Police Station Kot Ise Khan, District Moga.

2. As per the allegations, on 25.12.2024, a secret information was received to the effect that the petitioner along with co-accused Lakhwinder Singh @ Lakhu was involved in the business of selling heroin and on that very day also, they were bringing huge quantity of contraband on their motorbike and both of them were standing near Grand Resort, GT Road, Kot

Ise Khan, Amritsar and could be apprehended. Believing the secret information to be true, a raiding party was formed, which immediately rushed towards the informed place and found the petitioner and co-accused while standing with a bike. They were apprehended. On interrogation, they disclosed their names and particulars. On conducting their search, 500 grams of heroin packed in a plastic polythene was recovered from the right pocket of the pant of accused Lakhwinder Singh. The petitioner and co-accused were formally arrested. On the disclosure of Lakhwinder Singh, One Sukhjot Singh @ Sukha was nominated as additional accused and had subsequently been arrested. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 25.12.2024. No recovery was effected from his conscious possession and he has been implicated only on account of the fact that the local police officials are having enmity with his family members. Infact, a false case bearing FIR No.123 dated 22.02.2023 was registered against his aunt. A writ petition against the police officials had been filed by them before this Court and the police officials were offended with them. They had involved his maternal uncle in a case thereafter. A false recovery has been planted upon him in this case as well. He is not required for further investigation. The trial will take considerable time to conclude since no prosecution witness has been examined so far. No useful purpose would be served by detaining him in custody anymore. His antecedents are clean. It is, therefore, argued that he deserves to be released on bail.

4. Per contra, learned State counsel has argued that recovery of

commercial quantity of contraband had been effected from the conscious possession of the petitioner and co-accused. The allegations against him are serious in nature. There are chances of his committing similar offences, if extended benefit of bail. Rigors of Section 37 of the NDPS Act are attracted against him. It is, therefore, stressed that the petitioner does not deserve to be extended the benefit of bail.

5. This Court has heard the rival submissions made by learned counsel for the parties.

6. The petitioner along with co-accused was found in conscious possession of commercial quantity of contraband heroin. The allegations against him are obviously serious in nature. The trial has commenced. Taking into consideration the gravity of allegations as levelled against the petitioner, the quantum of sentence which the conviction may entail and the fact that rigors of Section 37 of the NDPS Act are attracted in this case, this Court is of the considered opinion that the petitioner does not deserve to be extended the benefit of bail at this stage. Accordingly, the petition is dismissed.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and shall not influence the outcome of the trial.

8. Since the main petition has already been decided, pending application, if any, is rendered infructuous.

18.03.2026

harjeet

Whether speaking/reasoned :

Whether reportable :

Yes/No

Yes/No

(MANISHA BATRA)
JUDGE