



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

CRM-M-67858-2025 (O&M)

Date of decision: 02.02.2026

Sandeep Kumar @ Deepu

...Petitioner(s)

VERSUS

State of Punjab

...Respondent(s)

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

Present :- Mr. Himanshu Bansal, 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.85 dated 02.09.2025, registered under Section(s) 21(b) and 27 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Nandgarh, District Bathinda.

2. FIR in the present case has been registered on the statement of Vishnu Das. The same reads thus:-

“Today, on 02-09-2025, Manjit Singh 1270/Bathinda, along with Gurpreet Singh 402/Bathinda, Hawaldar Resham Singh 280/Bathinda, and Senior Constable Kuldeep Singh 1942/Bathinda, while on duty with laptop, printer, and investigation kit, etc., in government vehicle Bolero bearing number PB 03 AT 0392, which was being driven by Senior Constable Kuldeep Singh 1942/Bathinda, were proceeding from Bathinda-Nandgarh Road towards the link road of village Baho, village Ghudda, at around 02:40 PM, when about 100 meters ahead on the main Bathinda-Nandgarh Road, on the right side of the link road towards the fields, at a dirt road turn, a young man was seen sitting with his legs crossed, engrossed



in something, fiddling with a transparent envelope in his hands. On suspicion, Manjit Singh and team stopped the vehicle, got out, and with the help of fellow staff, surrounded the said young man and checked him. In the transparent envelope held in his hands, heroin (chitta) was clearly visible. Efforts were made to involve private witnesses at the spot, but each person expressed their inability. Manjit Singh and team asked the apprehended young man for his name and address, who stated his name as Sandeep Kumar alias Deepu, son of Krishan Kumar, son of Arjun Mall, resident of village Ghudda, district Bathinda. Then, Manjit Singh and team, while videographing the spot, took a sample of the heroin from the transparent envelope in the possession of Sandeep Kumar alias Deepu, and using the Narcotic Drug Testing Kit as per instructions, conducted the test, which came positive. Then, the seized heroin along with the envelope was weighed on a computer scale, which came to 11 grams of heroin including the envelope. The seized heroin in the transparent envelope was wrapped in cloth to make a parcel. The parcel was sealed with the letter 'VD' on all sides, and a separate sample seal was prepared. After sealing, it was handed over to Manjit Singh 1270/Bathinda. Then, the sealed parcel of heroin along with the separate sample seal was brought to the police station in the seizure register. On the register, Manjit Singh 1270/Bathinda and Hawaldar Resham Singh 280/Bathinda gave their signatures as witnesses. Sandeep Kumar alias Deepu has committed an offense under Section 21B/61/85 of the NDPS Act by keeping the seized heroin in his possession. Therefore, the said accused Sandeep Kumar alias Deepu is being sent to the police station in the custody of Senior Constable Kuldeep Singh 1942/Bathinda for filing the case. The case should be registered and the case number informed.”.



3. Learned counsel for the petitioner contends that it is a case of chance recovery of 11 grams of *Heroin*, which is an intermediate quantity. He contends that the petitioner has been in custody since 03.09.2025 and has undergone an actual custody of more than 04 months. He contends that the investigation is still pending and thus the trial is likely to take a long time in its conclusion.

4. Learned counsel for respondent-State, on the other hand, contends that the petitioner is involved in 06 other cases including 04 under the Narcotic Drugs and Psychotropic Substances Act, 1985.

5. Responding to the above, counsel for the petitioner contends that out of the said six cases, in so far as the FIR registered under Section 420 of the Indian Penal Code, 1860 and Section 13-A of the Punjab Gambling Act, 1867 is concerned, the petitioner already stands acquitted and in remaining 04 cases under the Narcotic Drugs and Psychotropic Substances Act, 1985, he has been nominated therein with the aid of Section 29 of the said Act and he has already been granted the concession of bail in those cases.

6. I have heard the learned counsel appearing on behalf of the respective parties and have gone through the documents appended with the instant petition with their able assistance.

7. Having heard the learned counsel for the parties and taking into consideration the period of actual custody undergone by the petitioner, the quantity of contraband recovered in the present case, the stage of the trial and bearing in mind that the conclusion of the trial is likely to take a long



time, I deem it fit to allow the instant petition.

8. 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/Illaqa Magistrate concerned.

9. 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.

10. 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

02.02.2026
Mangal Singh

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