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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH
CRM-M-68946-2025
Date of decision: 6th April, 2026

Jagroop Singh @ Jukka

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Amit Arora, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 109 dated 08.05.2025 registered under Sections 21(c), 23, 25 and 27(a) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, '*NDPS Act*') and Section 25(8) of Arms Act, 1959 (Section 29 of NDPS Act and Section 25 of Arms Act were added later on) at Police Station City Tarn Taran, District Tarn Taran.

2. As per the allegation, on 08.05.2025, the present petitioner and co-accused Lovepreet Singh @ Love were apprehended on the basis of a secret information. They were interrogated. The accused Lovepreet Singh @ Love suffered disclosure statement admitting his involvement with the drug paddlers from Pakistan and got recovered 5kg 23 grams of *heroin*, drug money

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of Rs. 7,20,000/-, 07 pistols, 11 magazines and 40 live cartridges. He also suffered disclosure statement on the basis of which co-accused were nominated. The petitioner was also formally arrested on the same day. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. No recovery has been effected at his instance rather it has been effected at the instance of co-accused Lovepreet Singh from his house. The only allegation is that he was present along with the co-accused in his car at the time of his apprehension. The disclosure statement of the co-accused Lovepreet Singh cannot be considered to be admissible against him. No recovery was effected from the car from which he was apprehended. The trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. It is, therefore, argued that the petition deserves to be allowed.

4. Status report has been filed. It is argued by learned State counsel that keeping in view the gravity of the allegations levelled against the petitioner, he does not deserve to be released on bail. There are chances of his absconding or committing similar offences, if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

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

6. The petitioner was apprehended/arrested along with the co-accused Lovepreet Singh @ Love. No recovery had been effected from the

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vehicle wherein he was sitting with the co-accused. Neither any specific recovery has been effected from him. Allegations against the petitioner are that he was involved with the co-accused. However, since no recovery had been effected at his instance, therefore, it is debatable question, as to whether the ingredients for commission of subject offences are attracted qua him or not? He has been in custody since 08.05.2025. Trial will take time to conclude. No useful purpose would be served by detaining the petitioner in custody anymore. Three of the co-accused from whom no recovery has been effected, have been extended benefit of bail. Taking into consideration the nature of the subject offences, the period spent by the petitioner in custody, on parity and the attendant facts and circumstances of the case, this Court is of the considered opinion that the petition deserves to be allowed. Accordingly, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned.

- 7. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
- 8. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

6th April, 2026

Parveen Sharma

- 1. Whether speaking/ reasoned
- 2. Whether reportable

: Yes / No
: Yes / No