



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

112

CRM-M-70190-2025

Date of Decision: 20.02.2026

PRINCEDEEP SINGH ALIAS CAPTAIN

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Harpreet S. Rakhra, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

MANISHA BATRA, J. (ORAL)

1. 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.217 dated 05.09.2025 registered under Sections 21 and 27-A of NDPS Act, 1985, at Police Station Jandiala, District Amritsar Rural.

2. As per the allegations, on 05.09.2025, the petitioner was apprehended on suspicion and 10 grams of heroin was recovered from his conscious possession along with cash amount of Rs.400/-. The recovered contraband and money were taken into possession. The petitioner was formally arrested. Investigation now stands concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case and that a false recovery has been planted upon him. He has no criminal antecedents. He is not required for further investigation. The rigours of Section 37 of the NDPS Act are not attracted in the present case. No useful purpose would be served by



detaining him in custody any more. It is, therefore, contended that he deserves the concession of bail.

4. Status report and custody certificate have been filed. Learned State counsel has argued that, keeping in view the gravity of the allegations, the petitioner does not deserve to be extended the benefit of bail.

5. I have heard rival submissions made by learned counsel for the parties.

6. Non-commercial quantity of contraband is alleged to have been recovered from the petitioner on 05.09.2025. Investigation has been concluded. The trial is likely to take considerable time to conclude. The rigours of Section 37 of the NDPS Act are not attracted in the present case. Further incarceration of the petitioner is not likely to serve any fruitful purpose. It is a well-settled proposition of law that pre-trial incarceration should not be a substitute for post-conviction sentencing.

7. Taking into consideration the above discussed facts, without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing personal as well as surety bonds to the satisfaction of the learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

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

(MANISHA BATRA)
JUDGE

February 20, 2026
Nisha-1

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