

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

2026:PHHC:047549



(115+204)

1. CRM-M-71594-2025
Gobinda Singh @ Gobida Singh

Date of Decision: 25.03.2026

--Petitioner

Versus

State of Punjab

--Respondent

2. CRM-M-6730-2026

Jashanpreet Singh @ Raja

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. M.S. Sidhu, Advocate for the
petitioner in CRM-M-71594-2025.

Mr. Nikhil Thamman, Advocate for the
petitioner in CRM-M-6730-2026.

Mr. Raj Karan Singh, AAG, Punjab.

RAJESH BHARDWAJ.J (Oral)

1. By way of this common order, I dispose of the above said two
petitions arising out of the same FIR.

2. Present petitions have been filed praying for the grant of
regular bail to the petitioners in case bearing FIR No.146, dated 21.09.2025,
under Sections 22, 27(c) and 29 of NDPS Act, registered at Police Station,
Chattiwind, District Amritsar Rural.

3. As per the facts of the case, the police party while on patrolling
saw three young persons coming on a motorcycle bearing no.PB-02-AV-
690 from the front on turn to Chhaba, at the outskirts of village Mandiala,
who, on seeing the police party, got perplexed and rider of the motorcycle
tried to turn it as well as they attempted to throw the polythene envelopes

being carried by them, however, they were apprehended by the police party.

On asking, the rider of the motorcycle disclosed his name as Manorath Singh @ Lavi; the person sitting in middle disclosed his name as Gobinda Singh (petitioner in CRM-M-71594-2025) and the person sitting in the last disclosed his name as Jashanpreet Singh @ Raja (petitioner in CRM-6730-2026). They were suspected to be carrying contraband in the polythene bags carried by them and thus offer of search was given. On conducting the search, 135 loose intoxicant tablets were recovered from Manorath Singh @ Lavi, 115 loose intoxicant tablets were recovered from Gobinda Singh and drug money amounting to Rs.300/- was recovered from Jashanpreet Singh @ Raja, and in total 250 intoxicant tablets containing Tramadol had been recovered from them. They failed to produce license regarding the conscious possession of the same. Thus, the FIR in question was registered and accused were arrested at the spot. Thereafter, on completion of the investigation, challan has been presented. Petitioners approached the learned Judge, Special Court, Amritsar praying for grant of bail. However, on hearing the same and finding no merits, the same were declined by the learned court on 19.11.2025 and 22.12.2025 respectively. Hence, both the petitioners are before this Court by way of present petition for grant of regular bail.

4. Learned counsels for the petitioners contend that petitioners have been falsely implicated in the present case. It is contended that the alleged recovery has been effected from a public place while the petitioners along with the co-accused were going on their bike. It is submitted that as per the case of prosecution, 115 loose tablets weighing 28.29 grams of Tramadol were allegedly recovered from petitioner Gobinda Singh, whereas

drug money of Rs.300/- was recovered from petitioner Jashanpreet Singh. It is contended that the alleged recovery is non-commercial in nature and thus the provisions of Section 37 of NDPS Act are not attracted. Counsel submit that Rs.300/- has been termed to be drug money, which is totally unbelievable. To buttress their arguments, learned counsels submit that there is blatant violation of Section 50 of NDPS Act. It is submitted that petitioner Jashanpreet Singh has no criminal antecedents as he has never been involved in any criminal case, whereas petitioner Gobinda Singh was falsely implicated in one more case, however, he is on bail in that case. It is, thus, submitted that false implication of petitioners is evident from the facts of the case. Thus, prayer for regular bail has been made.

5. Learned State Counsel has vehemently opposed the submissions made by learned counsel for the petitioners. He submits that all the three accused including the petitioners were arrested on the spot. The alleged recovery of intoxicating tablets containing Tramadol was also effected on the spot, however, the recovered contraband, as per the FSL report is non-commercial in nature as the total intoxicating tablets weigh 61.05 grams. Learned State counsel, on instructions, submits that challan in the present case stands presented and charges are yet to be framed. He has produced on record the custody certificates of the petitioners, which are taken on record.

6. After hearing learned counsel for the parties, it is deciphered that the alleged recovery of intoxicating tablets was effected from a public place. The total contraband recovered from the petitioners weighs 61.05 grams of Tramadol which is admittedly a non-commercial quantity. As per custody certificates furnished by learned State counsel, petitioners Gobinda

Singh and Jashanpreet Singh have undergone actual custody period of 06 months and 02 days as on 24.03.2026. Petitioner Gobinda Singh is involved in one more case under the NDPS Act, however, he has been granted bail in that case, whereas petitioner Jashanpreet Singh is not involved in any other case.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commencing anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsels for the petitioners succeed in making out a case for grant of regular bail to the petitioners.

8. Accordingly, the present petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

25.03.2026
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(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No