



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

215

CRM-M-72542-2025
Date of Decision:-09.01.2026

ARSHDEEP SINGH ALIAS ARSH**.....PETITIONER**

VS.

STATE OF PUNJAB**....RESPONDENT****CORAM:- HON'BLE MR. JUSTICE SUBHAS MEHLA**

Present:- Mr. Harmanpreet Singh, Advocate
for the petitioner.

SUBHAS MEHLA, J.(ORAL)

1. By way of the present petition, the petitioner is seeking regular bail in FIR No.163 dated 07.10.2025 under Sections 21, 27(a), 29/61/85 of NDPS Act, 1985, registered at Police Station Chhattiwind, District Amritsar Rural (Annexure P-1).

2. Learned counsel for the petitioner contended that the petitioner is falsely involved in this case. It is further contended that the alleged recovered contraband is 10 grams of heroin, which is marginally above the small quantity and falls within the category of intermediate quantity. The allegation regarding recovery of Rs.500/- as drug money is also unsustainable in the eyes of law. Petitioner is in custody since 07.10.2025 i.e. more than three months and he is not involved in any other case other than the present one. Learned counsel further submitted that challan has not been filed so far and the trial will take sufficient time to conclude.



3. Notice of motion.

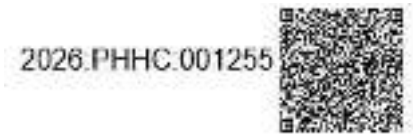
4. Mr. Anup Singh, AAG, Punjab, accepted the notice on behalf of the respondent-State and vehemently opposed the prayer for grant of regular bail to the petitioner by submitting that the investigation is still pending. He further submitted that in view of the gravity of the offence petitioner does not deserve the concession of bail.

5. Heard.

6. Keeping in view the facts and circumstances of the case that the alleged recovery of contraband falls under the non-commercial category i.e. 10 grams of heroin and it is a debatable question that whether Rs.500/- is a drug money or not and the same will be adjudicated during the trial; petitioner is in custody since 07.10.2025 i.e for the last more than 3 months; trial will take sufficient time to conclude and no fruitful purpose would be served by keeping him in custody for any further period, as concession of bail cannot be denied just as measure of punishment as culpability of the accused will be decided at the final stage by the trial Court after appreciating the evidences adduced by both sides and it is trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. Nothing observed hereinabove shall be construed to be expression of an opinion by this Court on merits of the case. The learned



Court below is directed to proceed with the matter on its own merits, lest it may prejudice the trial.

January 09, 2026
Kusum

(SUBHAS MEHLA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>