



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

225

CRM-M-766-2026
Decided on : 16.01.2026

Damanpreet Singh alias Daman Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Sukhdeep Singh, Advocate
for the petitioner(s).

Mr. Jasdeep Singh, Addl. AG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Damanpreet Singh alias Daman Singh	192	17.08.2025	21, 27(a), 29, 61, 85 of the NDPS Act, 1985	Jandiala	Amritsar Rural

2. As per case of the prosecution, petitioner – Damanpreet Singh alias Daman Singh was travelling on a motorcycle bearing registration No. PB35-M-8244, marka ‘Bajaj’, colour Red, being driven by co-accused Ranjit Singh @ Rana, while the petitioner was the pillion rider. On search, a recovery of 05 grams of heroin from the petitioner and 05 grams of heroin from co-accused Ranjit Singh @ Rana (total 10 grams of heroin), along with drug money of Rs.500/- each (total Rs.1000/-), was effected from their



respective conscious possession.

3. Learned counsel for the petitioner argues that the recovery attributed to the petitioner falls within the small quantity, and does not cross the threshold of commercial quantity, i.e., 250 grams, as prescribed under the NDPS Act. Further submits that the petitioner is inside jail since 17.08.2025, i.e., for the last about 04 months and 28 days, and trial is likely to take considerable time in its culmination. He is not involved in any other case of similar nature. Accordingly, learned counsel prays for grant of concession of regular bail to the petitioner.

4. On the other hand, learned State counsel has filed the custody certificate dated 15.01.2026, in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

5. While opposing the prayer for bail, learned State counsel submits that keeping in view the recovery of narcotic contraband, the petitioner does not deserve the concession of regular bail. However, on being asked by the Court, he fairly concedes that except the present case, the petitioner is not found involved in any other similar activity. It is also admitted that the petitioner has remained in custody for about 04 months and 28 days, and till date, none of the prosecution witnesses has been examined so far.

6. Having heard learned counsel for the parties and upon perusal of the record, it is noticed that the recovery effected from the petitioner is of 05 grams of heroin, which falls within the notified small quantity under the NDPS Act, 1985. Besides, petitioner is a young boy of about 19 years of age



and a first-time offender, who has been in custody since 17.08.2025, i.e., for the last about 04 months and 28 days. As per the custody certificate, he is not shown to be involved in any other case, more particularly under the NDPS Act. It is also evident that no prosecution witness has yet been examined, and therefore, the conclusion of trial is likely to take considerable time.

7. In these circumstances, further incarceration of the petitioner for an indefinite period is not warranted, particularly when he is not found involved in any other case of similar nature. This Court is inclined to extend the petitioner an opportunity to reform and rehabilitate himself in society, instead of keeping him confined behind bars for a prolonged period during trial. Accordingly, this Court deems it appropriate to grant the concession of regular bail to the petitioner.

8. Accordingly, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Needless to observe 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 here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

11. It is further made clear that if, in future, petitioner is directly



found indulged in similar kind of activities, this order shall be deemed to be cancelled.

12. Petition stands **disposed of**.

Pending misc. application(s), if any, also stand(s) disposed of.

(SANJAY VASHISTH)
JUDGE

January 16, 2026
J.Ram

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