



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

(223)

**CRM-M-5737-2026(O&M)
DATE OF DECISION:14.05.2026**

Shamsher Singh @ Shera

.....Petitioner

VERSUS

State of Punjab

.....Respondent

CORAM HON'BLE MR. JUSTICE SUBHAS MEHLA

Present Mr.Karambir Singh Kahlon, Advocate,
and Mr. Manveen Kahlon, Advocate, for the petitioner.
Ms. Navreet K. Barnala, Asstt. AG, Punjab.

SUBHAS MEHLA, J (ORAL)

1. Present petition has been filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case FIR No.166 dated 27.08.2025, under Sections 21-B, 27-A/29/61/85 of NDPS Act, registered at Police Station Chheharta, District Police Commissionerate Amritsar..

2. Allegations against the present petitioner are that 200 grams of *heroin* along with drug money of ₹2,400/- was recovered from the joint possession of co-accused Lovepreet Singh @ Labha and the present petitioner Shamsher Singh @ Shera.

3. Learned counsel for the petitioner prays for grant of regular bail to the petitioner on the following grounds:

- i. That the petitioner is in custody since 27.08.2025, i.e. for the last more than eight months;
- ii That the drug money of ₹2,400/- along with contraband recovered i.e 200 grams of *heroin* from joint possession of co-accused Lovepreet Singh @ Labha and the present petitioner Shamsher Singh @ Shera, falls within the category of intermediate quantity;



iii. That co-accused Gurpal Singh vide order dated **23.04.2026** passed in **CRM-M-5795-2026**, and co-accused Balwinder Singh @ Binder, Pratham Sharma, Lovepreet Singh @ Lovejeet Singh @ Labha and Deepak Singh @ Deep vide order dated **12.01.2026**, passed in **CRM-M-60485-2025** and other connected matters, have already been granted the concession of regular bail by this Court;

iv. That the petitioner is not involved in any other case under the NDPS Act;

v. That the trial of the case is likely to take sufficient time to conclude and;

vi. That no fruitful purpose would be served by keeping the petitioner behind the bars.

4. On the other hand, Ms. Navreet K. Barnala, Asstt. AG, Punjab, appears on behalf of respondent/State and files custody certificate of the petitioner, same is taken on record. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner on the following grounds:

i. That 200 grams of contraband was recovered from the joint possession of the present petitioner and co-accused Lovepreet Singh @ Labha;

ii That the petitioner is involved in drug trafficking and 100 grams of *heroin* along with drug money of ₹50,000/- was recovered from co-accused Pratham Sharma, who was nominated on the disclosure statement of the present petitioner.

5. Heard.

6. Taking into consideration the contentions of the learned counsel for the petitioner as well as learned State counsel and the totality of the circumstances of the case, this Court is of the considered view that



2026:PHHC:076217

2026:PHHC:076217

CRM-M-5737-2026(O&M)

3

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. Accordingly, this Court deems it a fit case to grant the concession of regular bail to the petitioner on the following aspects:

- i. That the petitioner is in custody since 27.08.2025, i.e. for the last more than eight months;
- ii. That co-accused Gurpal Singh vide order dated 23.04.2026 passed in **CRM-M-5795-2026**, and co-accused Balwinder Singh @ Binder, Pratham Sharma, Lovepreet Singh @ Lovejeet Singh @ Labha and Deepak Singh @ Deep vide order dated 12.01.2026, passed in CRM-M-60485-2025 and other connected matters, have already been granted the concession of regular bail by this Court;
- iii. That the petitioner is having clear antecedents as he is not involved in any other case and
- iv. That the trial of the case is likely to take sufficient time to conclude and no fruitful purpose would be served by keeping the petitioner behind the bars.

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. All pending misc. applications, if any, be also disposed of.

14.05.2026
mamta

(SUBHAS MEHLA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No