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CRM-M No.18230 of 2026

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

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**CRM-M No.18230 of 2026
Date of decision : 10.4.2026
Date of uploading : 10.4.2026**

Judgebir Singh alias Judge

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Rishu Mahajan, Advocate, for the petitioner

Mr. Adhiraj Singh Thind, AAG Punjab

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.363 dated 3.11.2025 under Sections 21(c)/25/27(A)/29 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Gharinda, District Amritsar.

2. The gravamen of the FIR in question is that the petitioner is an accused of being involved in FIR pertaining to NDPS Act involving 544 grams of heroin and ₹30,000/-drug money allegedly recovered from the petitioner and his co-accused, on 3.11.2025 at the outskirts of village Daoke, while they were riding a motorcycle.

3. Learned counsel for the petitioner has argued that the petitioner



is in custody since 3.11.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further submitted that, assuming *arguendo*, the prosecution version is taken to be correct, the recovery of the contraband i.e. 544 grams of heroin is from the left pocket of his lower of the track suit worn by the co-accused, namely Amandeep Singh @ Midha and the petitioner cannot be said to be in conscious possession of the said contraband. Learned counsel has further submitted that the amount of ₹30,000/- recovered from the petitioner, which is stated to be drug money, is only based on the confessional statement of the petitioner. Learned counsel has further submitted that the petitioner is a young man with no criminal antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel has further iterated that the petitioner is accused of offence pertaining to commercial quantity under the NDPS Act, and thus, his bail petition is barred in view of the Section 37 of the Act. Learned State counsel seeks to place on record custody certificate dated 9.4.2026 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 3.11.2025. The investigation is still under way. The arguments; as to whether the petitioner can be levied



with the culpability of the contraband alleged to have been recovered from the trouser pant of the co-accused; shall be gone into during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence. From the totality of the factual *milieu* of the case in hand, this Court is of the considered opinion that rigors of Section 37 of NDPS Act are met with so as to afford regular bail to the petitioner.

6.1 As per custody certificate dated 9.4.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 5 months and 2 days & is not shown to be involved in any other case.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.



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(vi) The petitioner shall give his cell-phone number to the Investigating Officer/Sho of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.

(vii) The petitioner shall not in any manner try to delay the trial.

(viii) The petitioner shall submit, on the first working day of every month, an affidavit, before the concerned trial Court, to the effect that he has not been involved in commission of any offence after being released on bail. In case the petitioner is found to be involved in any offence after his being enlarged on bail in the present FIR, on the basis of his affidavit or otherwise, the State is mandated to move, forthwith, for cancellation of his bail which plea, but of course, shall be ratiocinated upon merits thereof.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

10.4.2026

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