



245

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

CRM-M-34082-2025

Date of decision : 04.08.2025

**Mandeep Singh @ Manna**

....Petitioner

versus

**State of Punjab**

..... Respondent

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

Present :- Mr. Manish Prabhaker, Advocate  
the petitioner.

Ms. Simran Gorla, A.A.G., Punjab.

**RAJESH BHARDWAJ, J. (Oral)**

1. Present petition has been filed for grant of regular bail in case FIR No.31 dated 02.03.2025 under Sections 21(b), 25, 27-A, 29, 61 & 85 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Jandiala, District Amritsar.
2. As per the case of the prosecution, the Police party while on patrolling on 02.03.2025, saw two persons coming on their motorcycle. On seeing the police, they got perplexed and the person riding pillion tried to throw out a packet taking out from the pocket of his pant. However, both were over-powered by the Police. On asking, they disclosed their name as Akashdeep Singh @ Akash and Gurpreet Singh @ Gurjeet. They were suspected to be carrying some contraband. The police recovered a polythene bag carried by Akash and on search of the same it was found containing 20 grams of heroin. They failed to produce any license regarding possession of the same and hence, the FIR was registered and both were arrested on spot. The investigation commenced. During investigation, they made a disclosure statement about the present



petitioner that Gurjeet had sold 5 grams of heroin to the petitioner. Thus, he was arrested in the present case on 06.03.2025. The petitioner approached the Learned Judge, Special Court, Amritsar praying for grant of bail, however, finding no merit, the same was declined after hearing both the sides by Learned Judge, Special Court, Amritsar vide order dated 13.05.2025. Aggrieved by the same, the petitioner is before this Court by way of filing of present petition for grant of bail.

3. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case. He submits that neither the petitioner named in the FIR nor any overt act has been attributed to him. He submits that the petitioner has been implicated in the present case only on the basis of disclosure statement of the co-accused. He submits that even otherwise the petitioner has been alleged to have purchased 05 grams of heroin from Gurjeet Singh which is a small quantity. He submits that the co-accused from whom 20 grams of heroin was recovered have already been granted bail by this Court. He submits that though the petitioner is involved in 04 other cases, however, he is on bail in those cases. He thus, submits that in the facts and circumstances of the case, the petitioner deserves to be granted bail.

4. Per contra, learned State counsel has opposed the submissions made by the counsel for the petitioner and submits that the petitioner is a habitual offender. She submits that the complicity of the petitioner was established during the investigation. She, on instructions, submits that the case is under investigation. She has produced the custody certificate of the petitioner on record.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the alleged recovery of 20 grams of heroin was



effected from the co-accused. The petitioner has been arrayed as an accused only on the basis of disclosure statement of the co-accused on the allegation that he purchased 05 grams of heroin from them which falls under the small quantity, however, there is no recovery effected from the petitioner. As per custody certificate, the petitioner has suffered an incarceration of 04 months and 26 days as on 02.08.2025. As submitted before this Court, though petitioner is involved in other cases, however, he is on bail in those cases.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

7. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for the grant of bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

04.08.2025

*ps-I*

( **RAJESH BHARDWAJ** )  
JUDGE

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