



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

**CRM-M-14868-2025
Date of decision: 24.03.2025**

MALOOK SINGH

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Vidit Bansal, Advocate for the petitioner.

Mr. Nitesh Sharma, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. This is the first petition filed under Section 483 BNSS, 2023 for grant of regular bail to the petitioner in case bearing FIR No.200 dated 09.09.2024, registered for the offences punishable under Sections 21(c)/23/27-A/29 of NDPS Act and 25 of Arms Act at Police Station Division No.6, Jalandhar.

2. The brief facts of the present case are that on 09.09.2024, when ASI Gurmail Singh, along with other police officials, was riding in a government vehicle, a young man, wearing a kit bag, was seen walking towards the road near Green Park Colony. On seeing the police, he got scared and tried to flee away from the spot. He was apprehended on the spot on suspicion where he disclosed his name as Shinda Singh *alias* Kala. His kit bag was searched and 01 kg of heroin as well as amount of Rs.4 lakh (INR) in cash was recovered. Subsequently, the FIR (*supra*) was registered.

3. Learned counsel for the petitioner *inter alia* contends that although, the petitioner is involved in one more case under the NDPS Act,



wherein he is on bail. He submits that on the basis of disclosure statement of main accused- Shinda Singh *alias* Kala, Harjinder Pal was nominated as an accused in the FIR (*supra*), who further made a disclosure statement that resulted in nomination of the petitioner as an accused in the present case. Thereafter, the petitioner made a disclosure statement(Annexure P-3) that he had purchased 150g of heroin from Harjinder Pal, and got the same recovered from the banks of river Sutlej, as noted in recovery memo(Annexure P-4). It is evident that the said recovery has been made from an open space which is accessible to public in general. Moreover, there is nothing available on the record that proves conscious and exclusive possession of the contraband by the petitioner.

4. Learned State counsel has filed the custody certificate of the petitioner, which is taken on record and submits that the main accused Shinda Singh *alias* Kala was arrested for being in possession of 01 kg of heroin as well as Rs.4,00,000/- of drug money. Moreover, 150g of heroin was recovered at the instance of the petitioner that he admitted to have procured for further sale. Further, he has undergone a custody period of 05 months and 24 days only. Therefore, in view of the grave nature of the allegations, the petitioner does not deserve the concession of regular bail.

5. Having heard learned counsel for the parties and after perusing the record of the case, it transpires that huge quantity of contraband, falling within the ambit the commercial quantity, has been recovered in the present case.

6. Heroin is one of the most destructive narcotic substances, with devastating effects on individuals and society. Unlike some other drugs, heroin



creates an immediate and powerful addiction, leading to severe physical and psychological dependence. Its abuse not only destroys the health and well-being of users but also fuels organized crime, fosters violence, and burdens law enforcement agencies. Among the youth, heroin addiction leads to a loss of potential, pushing them into a cycle of crime, unemployment, and social alienation. The drug's impact is even more severe than other narcotics, as it rapidly deteriorates cognitive and motor functions, making rehabilitation a challenging process. Given the grave consequences of heroin abuse and its role in societal decay, courts must take a strict stance against its trafficking and distribution. The recovery of 150g of heroin at the instance of the petitioner, with an admitted intention to sell, indicates a clear purpose to spread this poison in society, endangering countless lives. Granting bail in such cases would not only undermine the fight against drug abuse but also embolden those involved in this illegal trade. Hence, no case is made out for the petitioner's release on bail.

7. Thus, the present petition stands dismissed, being bereft of any merit.

8. Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.

(HARPREET SINGH BRAR)
JUDGE

March 24, 2025
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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |