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

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**CRM-M-21009-2025 (O&M)  
Date of decision: 09.07.2025**

**Jagtar Singh**

**...Petitioner**

**Versus**

**State of Punjab**

**...Respondent**

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Chetan Kapoor, Advocate  
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

**MANISHA BATRA, J. (Oral)**

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 008 dated 03.03.2025, registered under Sections 21, 27-A and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Handesra, District SAS Nagar.

2. Brief facts of the case relevant for the disposal of the present petition are that on 03.03.2025, co-accused Balwinder Singh was apprehended by a police party and recovery of 16 grams of heroin was effected from him. Upon interrogation, he disclosed that the present petitioner used to deliver him the contraband for its consumption and sale. On the basis of the same, the petitioner was nominated in this case as an accused and was arrested on 06.03.2025. After completion of necessary investigation and usual formalities, *challan* was presented in the Court and

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presently, the petitioner along with the co-accused is facing trial for commission of aforesaid mentioned offences.

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. He has been nominated in this case on the basis of the disclosure statement suffered by the aforesaid co-accused, which is not admissible in evidence. More so, the alleged recovery of the contraband effected from the co-accused does not fall under commercial quantity. The petitioner is not involved in any case under the NDPS Act. Investigation has since been completed and challan has been presented. Conclusion of trial is likely to take time. No useful purpose would be served by keeping him in custody anymore. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Status report has been filed by the respondent-State. It is submitted therein and learned Assistant Advocate General, Punjab has argued that the petitioner is not entitled to get benefit of bail as he used to supply the contraband to the co-accused. Recovery of drug money of Rs.5,000/- was effected from him. The criminal antecedents of the petitioner are not clean as he is involved in one more criminal case under the provisions of IPC. Hence, it is urged that the petition is liable to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

6. The petitioner has been nominated and arrested in this case on basis of the disclosure statement suffered by the co-accused, from whom, the

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alleged recovery of heroin was effected. The quantity of the recovered contraband obviously does not fall under commercial quantity. No subsequent recovery of any contraband is shown to have been effected from the petitioner. He is in custody since 06.03.2025. The conclusion of trial is likely to take time. Keeping in view the aforesaid facts, I am of the considered opinion that no useful purpose would be served by keeping him in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

09.07.2025

*Wassem Ansari*(MANISHA BATRA)  
JUDGE*Whether speaking/reasoned**Yes/No**Whether reportable**Yes/No*