

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

2025:PHHC:040681



**(219+233)**

**1. CRM-M-62236-2024**

**Date of Decision: 25.03.2025**

Jagdish Singh @ Gaggi

--Petitioner

Versus

State of Punjab

--Respondent

**2. CRM-M-9294-2025**

Gurpreet Singh @ Guri

--Petitioner

Versus

State of Punjab

--Respondent

**CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.**

Present:- Mr. Imaan Singh Khara, Advocate &  
Mr. Gurmej Singh, Advocate for the petitioner  
in CRM-M-62236-2024.

Mr. P.S. Sekhon, Advocate with  
Ms. Nidhi, Advocate for the petitioner in  
CRM-M-9294-2025.

Mr. Shiva Khurmi, AAG, Punjab with  
ASI Jasbir Singh.

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**MANJARI NEHRU KAUL.J (Oral)**

The petitioners are seeking the concession of regular bail, filed under Section 483 BNSS, in case FIR No.155, dated 07.09.2023, under Sections 22(b) of NDPS Act (Section 27 of NDPS Act added later on vide DDR No.25 dated 8.9.2023), registered at Police Station, Sadar Bathinda, District Bathinda.

2. Learned counsel for the petitioners submit that the petitioners have no previous criminal antecedents. They were allegedly apprehended with 5 vials of Wincerex (cough syrup) on 07.09.2023. Thereafter, a disclosure statement was allegedly suffered by the petitioners pursuant to

which another recovery of 7 vials of Wincerex syrup was made from a riverbed. Counsels have asserted that it is highly implausible that the petitioners would have concealed 7 vials of the recovered Wincerex syrup in an open place on the riverbed. Counsels submit that it is, therefore, apparent that petitioners have been falsely implicated in the present case. It has been further argued by the counsels that although it is a case of false implication, however, even otherwise, the alleged recovery is just marginally higher than the minimum classified as 'Commercial' under the Act. A prayer has been made to extend concession of bail to the petitioners as 11 prosecution witnesses out of the 19 still remain to be examined; even though, the charges were framed way back on 19.03.2024.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions has not disputed the custody period of the petitioners nor has he disputed the stage of trial. However, it has been asserted by the State counsel that a secret information was received qua involvement of the petitioners in drug trafficking and pursuant to the secret information, the petitioners were nabbed leading to the initial recovery of 5 vials of Wincerex syrup weighing 500 ml. Thereafter, both the petitioners suffered a disclosure statement leading to the recovery of additional 7 vials from the riverbed totalling 1200 ml.

4. I have heard learned counsel for the parties and examined the material on record.

5. The petitioners have been in custody for the last about 1 ½ years having been arrested on 07.09.2023. The recovery allegedly effected from the conscious possession of the petitioners was 5 vials of Wincerex

syrup, however, the remaining was pursuant to disclosure statement allegedly suffered by them. The trial is unlikely to conclude in the near future in view of the fact that 11 prosecution witnesses still remain to be examined.

6. In view of the facts and circumstances enumerated hereinabove, this Court deems it fit to admit the petitioners to bail.

7. Accordingly, the instant petitions are allowed and the petitioners be admitted to bail on their furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

8. Needless to add, in case the petitioners misuse the concession of bail granted to them, the State would be at liberty to seek cancellation of the same.

**(MANJARI NEHRU KAUL)  
JUDGE**

**25.03.2025**

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No