

2025:PHHC:117031



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

**CRM-M-28199-2025 (O&M)**

**Reserved on : 27.08.2025**

**Pronounced on : 02.09.2025**

**Gagandeep Singh @ Gaggu @ Hadhi**

**...Petitioner**

**Versus**

**State of Punjab**

**...Respondent**

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

Present:- Mr. Ruhani Chadha, Advocate  
for the petitioner.

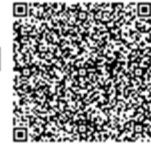
Mr. Roshandeep Singh, AAG, Punjab.

**MANISHA BATRA, J.**

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 case bearing FIR No. 101 dated 05.09.2023, registered under Sections 21(c), 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) and Section 25 of the Arms Act, 1959 at Police Station Kathu Nangal, District Amritsar (Rural).

2. Brief facts of the case relevant for the purpose of disposal of this petition are that on 05.09.2023, on receipt of a secret information to the effect that Harpreet Singh @ Lovely, who was involved in drug smuggling with Pakistani smugglers through drone and Raavi river and was coming in a car make Grand i-10 bearing registration number PB-02-EL-7922 from the side of Gurdaspur to sell heroin, a barrier was laid at the informed place by a police party headed by SI Gopal Singh and he was apprehended while coming in the

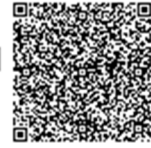
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said car. On search of the car, recovery of 15 kgs. of heroin was effected. On interrogation, co-accused Harpreet Singh @ Lovely disclosed that he along with Gagandeep Singh @ Gaggu @ Hadhi (petitioner), Rahul Singh, Gagandeep Singh and Harpreet Singh @ Happy Jatt were involved in smuggling and sale of heroin. During the course of investigation, the aforesaid car was found to be registered in the name of co-accused Gurwinder Singh @ Guri. He was arrested on 29.09.2023. Some other persons were also arraigned as accused in this case. The petitioner was arrested on 12.12.2023. After completion of necessary investigation and usual formalities, *challan* under Section 173 of Cr.P.C. was presented in the Court and 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 based on the disclosure made by the said co-accused, which is not admissible in evidence against him. It is further argued that the petitioner was neither named in the FIR nor there is anything on record to connect him with the subject crime. No subsequent recovery was effected from him. Even otherwise, co-accused Gagandeep Singh, who was also named by the main accused Harpreet Singh @ Lovely, from whom the contraband was recovered, has been granted concession of anticipatory bail by this Court, vide order dated 22.04.2024 passed in **CRM-M-11864-2024**. Even co-accused Shehbaz Singh @ Sunny @ Sehbaj Singh, Sakatar Singh and Gurwinder Singh @ Guri have been granted concession of regular bail by this Court, vide orders dated

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14.02.2025, 05.03.2025 and 07.03.2025 passed by this Court in *CRM-M-29594-2024*, *CRM-M-50038-2024* and *CRM-M-53236-2024*. On the grounds of parity, the petitioner too deserves the benefit of bail. He is in judicial custody since 12.12.2023. Trial is likely to take time. No useful purpose would be served by keeping him in custody anymore. It is, therefore, urged that the petition deserves to be allowed.

4. Status report has been filed by the respondent-State. Learned State counsel has argued that keeping in view the gravity of the allegations levelled against the petitioner, he is not entitled to get benefit of bail. 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 gone through the record carefully.

6. The petitioner has been nominated in this case on the basis of the disclosure statement made by above named co-accused. The petitioner was arrested on 12.12.2023 by way of production warrant as he was already in custody in connection with some other case. The allegations against him are that he was also involved in smuggling of heroin with Pakistani smugglers. On the demarcation of co-accused Rahul Singh, recovery of 265 grams of heroin and gold ornaments of 155.49 grams was effected from the house of the petitioner. The quantity of the contraband recovered from the house of the petitioner falls under commercial quantity. This recovery, though not effected at the instance of the petitioner but from his house, shows his complicity in commission of aforementioned offences. The case of the petitioner cannot be stated to be at par with that of above named co-accused, who have been

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granted concession of bail by this Court. Keeping in view the aforesaid facts and circumstances, the quantity of recovered contraband, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case, I am of the considered opinion that the petitioner does not deserve to be granted benefit of regular bail, at this stage. Hence, the petition is dismissed.

7. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

**02.09.2025**

*Waseem Ansari*

**(MANISHA BATRA)  
JUDGE**

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*