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

**CRM-M No.20128 of 2025
Date of Decision: 10.09.2025
Reserved on: 01.09.2025**

Amritpal Singh @ Amrit ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Rakesh Kumar, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short "BNSS") seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
04	07.01.2025	Chheharta, District Police Commissionerate Amritsar	21(b), 21(c), 27-A and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (For short 'NDPS Act') and 238 of the Bharatiya Nyaya Sanhita (For short 'BNS')

2. As per the allegations, on 07.01.2025, the accused Jugraj Singh @ Shiva was apprehended and 30 grams of heroin was recovered from his conscious possession. A case under Section 21 (b) of NDPS Act was registered. During the course of investigation, the accused Jugraj

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Singh @ Shiva suffered disclosure statement on 08.01.2025 on the basis of which Simarjit Kaur, Navraj Singh @ Lalli and Dilpreet were nominated as co-accused. They were arrested on 08.01.2025. On 09.01.2025, the accused Jugraj Singh suffered another disclosure statement and got recovered 500 grams of heroin and drug money of Rs.10,000/- from one small drum lying in his residential house. He also disclosed that the contraband was purchased by him from accused Manjit Singh @ Bholia and it was delivered to him by the persons of Manjit Singh on asking of his co-villager Sandeep Singh who was confined in jail. Sandeep Singh was nominated as an accused. His presence was secured by way of issuance of production warrants. He suffered a disclosure statement on the basis of which, the present petitioner along with co-accused Karanjit Singh @ Kancha and Lovepreet Singh @ Love were nominated as accused. It was disclosed that the contraband was received by them and they used to sell it further. The petitioner was arrested on 12.01.2025. Drug money of Rs.5000/- was recovered from him. The co-accused were also arrested. The investigation stands concluded and challan against the petitioner and the co-accused has been presented.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement allegedly suffered by the co-accused Sandeep Singh which cannot be considered to be admissible in evidence. A false recovery of drug money is planted upon him without there being any material on record to show that the amount of Rs.5000/- was drug money. He is in custody since 12.01.2025. No recovery of any contraband has been effected from him. The

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rigours of Section 37 of NDPS Act will not apply to him since he is not involved in any other case under NDPS Act and has clean antecedents. The recovery of contraband from the co-accused cannot be considered to be recovery from him. His further incarceration would not serve any useful purpose. It is, therefore, urged that he deserves to be extended benefit of bail.

4. Status report has been filed. Learned Assistant Advocate General, Punjab has opposed the petition and has submitted that commercial quantity of contraband has been recovered from the co-accused. Drug money has been recovered from the present petitioner. There are serious allegations against him. It is, therefore, urged that he does not deserve to be extended benefit of bail.

5. This Court has considered the rival submissions.

6. Having considered the submissions made by both the sides, keeping in view the period of custody of the petitioner as well as the fact that no contraband has been recovered from him coupled with the fact that the trial is likely to take time to conclude as even charges have not been framed so far, this Court is of the considered opinion that the petitioner is entitled to be released on bail.

7. As per the discussion made above but without delving into the merits or demerits of the arguments respectively addressed by both the sides, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned. and further subject to

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his abiding by the following conditions:-

- (i) The petitioner will not tamper with evidence during trial.
- (ii) he will appear before the trial Court on each and every date fixed, unless is exempted by specific order of the Court.
- (iii) the petitioner shall not commit any offence similar to the offence of which he is an accused.
- (iv) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.
- (v) any infraction shall entail in withdrawal of the benefit granted by this court.

8. 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.

10.09.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No