



CRM-M-39520-2025

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

**CRM-M-39520-2025**

Date of Decision: 30.07.2025

Lovepreet Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. Vishnu Dutt, Advocate for  
Mr. Naveen Bawa, Advocate, for the petitioner.  
Mr.Raj Karan Singh, AAG, Punjab.

**Rajesh Bhardwaj, J. (ORAL)**

1. Petitioner has approached by way of filing the present petition praying for grant of regular bail in case FIR No.104 dated 24.05.2025 under Sections 21(b), 27(a), 25, 61, 85 of NDPS, 1985 (Section 29 of NDPS Act, added lateron), registered at Police Station Jandiala, District Amritsar.
2. Succinctly, facts of the case are that the police party while on patrolling on 24.05.2025, saw a young man coming on motorcycle. On seeing the police, he got perplexed and turned his motorcycle towards the shed of bus stand. However, on suspicion he was stopped and on asking he disclosed his name as Lovepreet Singh (petitioner). He was suspected to be carrying some contraband, thus, search was conducted by the police. On conducting the search of the motorcycle, two black coloured polythene bags were recovered from the seat of the motorcycle. On opening the same, heroin was recovered. On weighing, the same was found to be 10 grams of heroin. He failed to produce any licence regarding the possession of the same. Thus, on the registration of the FIR, the petitioner was arrested on the spot. The samples taken were sent to the FSL. The investigation commenced. The petitioner approached the Court of learned Judge, Special



Court, Amritsar praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 15.07.2025. Hence, the petitioner has approached this Court praying for grant of regular bail by way of filing the present petition.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He submits that the alleged recovery has been effected from a public place, however, no independent witness has been joined. He submits that there is violation of Section 50 of NDPS Act as well in effecting the alleged recovery. He submits that even otherwise, the alleged recovery is non-commercial quantity and thus, provisions of Section 37 of the NDPS Act are not attracted. He, thus, submits that in the overall facts and circumstances of the case, the petitioner deserves to be granted bail.

4. *Per contra*, learned State counsel has vehemently opposed the submissions made by counsel for the petitioner. He has submitted that the case is under investigation. The FSL report is received and the contraband recovered has been confirmed to be heroin. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that alleged recovered in the present case is 10 grams of heroin, which is a non-commercial quantity and the small quantity as per the schedule of the NDPS Act, is 05 grams of heroin. Case is under investigation. The custody certificate reflects that the petitioner has suffered incarceration of 02 months & 04 days as on 29.07.2025. It further shows that



the petitioner is involved in one more case, however, he is on bail in that case.

6. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

**(RAJESH BHARDWAJ)**  
**JUDGE**

**30.07.2025**

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Whether Speaking/Reasoned : Yes/No  
Whether Reportable : Yes/No