



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

**110**

**1. CRM-M-5338-2025**

**RINKU THAPAR**

**.....Petitioner**

**Versus**

**STATE OF PUNJAB**

**.....Respondent**

**2. CRM-M-5478-2025**

**CHANDAN SHARMA**

**.....Petitioner**

**Versus**

**STATE OF PUNJAB**

**.....Respondent**

**3. CRM-M-62331-2024 (O&M)**

**HARVINDER SINGH**

**.....Petitioner**

**Versus**

**STATE OF PUNJAB**

**.....Respondent**

**4. CRM-M-5917-2025**

**AAKASH SHARMA**

**.....Petitioner**

**Versus**

**STATE OF PUNJAB**

**.....Respondent**

**5. CRM-M-7960-2025**

**ARWINDER SINGH @ GAVI**

**.....Petitioner**

**Versus**

**STATE OF PUNJAB**

**.....Respondent**

**6. CRM-M-6545-2025**

**KAMAL KUMAR**

**.....Petitioner**

**Versus**

**STATE OF PUNJAB**

**.....Respondent**



7. CRM-M-7482-2025  
  
VISHAL SINGH ALIAS RAJA  
  
.....Petitioner  
  
Versus  
  
STATE OF PUNJAB  
  
.....Respondent

8. CRM-M-10845-2025  
  
DIVYAM  
  
.....Petitioner  
  
Versus  
  
STATE OF PUNJAB  
  
.....Respondent

9. CRM-M-12380-2025  
  
ANKUSH BHATTI  
  
.....Petitioner  
  
Versus  
  
STATE OF PUNJAB  
  
.....Respondent

Decided on : 07.05.2025

**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Bhrigu Dutt Sharma, Advocate,  
for the petitioner (in CRM-M-5338-2025 and 6545-2025).

Mr. Om Malhan, Advocate,  
for the petitioner(s)  
(in CRM-M-5478-2025 and CRM-M-5917-2025).

Ms. Anmol Thakur, Advocate, for  
Mr. Sandeep Arora, Advocate,  
for the petitioner(s) (in CRM-M-10845-2025).

Mr. Kavinder S. Chibber, Advocate, for  
Mr. Harsh Chopra, Advocate,  
for the petitioner(s) (in CRM-M-7482-2025).

Ms. Kuljeet Kaur, Advocate,  
for the petitioner (in CRM-M-12380-2025).



Mr. H.S. Multani, Advocate,  
for the petitioner (in CRM-M-62331-2024).

Mr. Ravi Malhotra, Advocate,  
for the petitioner (in CRM-M-7960-2025).

Mr. Manjinder Singh Bhullar, DAG, Punjab.

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**SANJAY VASHISTH, J.**

1. By this common order, all the aforementioned 9 petitions would get decided.

2. Facts are common in all the cases and are detailed here under:-

Instant petitions have been filed under Section 483 of the BNSS, 2023, for grant of regular bail to the petitioners in their respective petitions, which have been filed in case, FIR No.147 dated 20.09.2024, under Sections 21(c), 20 of NDPS Act and Section 25 of the Arms Act, 1959 (Section 27-A, 29 of the NDPS Act added later on), Sections 2, 9, 39, 44, 48-A, 49, 49-A, 49-B, 50 and 51 of the Wild Life Protection Act, 1972, registered at Police Station Special Task Force, Police District STF Wing, SAS Nagar (Mohali).

3. As per the secret information received, names of nine individuals were disclosed, along with specific details indicating that if a raid were to be conducted, five of them would be found present at the residence of Rinku Thapar. Said nine names are mentioned as under:-

1. Rinku Thapar
2. Ankush Bhatti



3. Aakash Sharma
4. Divyam
5. Bharat
6. Chandan Sharma
7. Arwinder Singh @ Gavi
8. Lovepreet Singh alias Lovi, and
9. Pratham Hans

4. During the raid conducted at the residence of Rinku Thapar, five individuals, Rinku Thapar himself, along with Divyam, Bharat, Ankush Bhatti, and Pratham Hans, were found present and were subsequently arrested on 20.09.2024. Simultaneously, a separate raiding team apprehended accused, namely, Chandan Sharma and Aakash Sharma from their respective residences on the same day. In addition, Lovepreet Singh @ Lovi and Vishal Singh @ Raja (who was not named in the secret information or in the FIR), were also arrested on 20.09.2024 from Lovepreet Singh's residence. Furthermore, Arwinder Singh @ Gavi was arrested on 21.09.2024 from his home at Amritsar.

5. Other six accused, namely Pawan Kumar, Sanjeev Chawla @ Sanjiv Chawla, Prince, Harvinder Singh, Chetan Aggarwal, and Kamal Kumar, were arrested at a later stage, based on the disclosure statements made by the previously arrested accused. Their involvement came to light during the course of investigation, following which appropriate action was taken to apprehend them.

6. Some of the common arguments addressed by counsel for the petitioners, are mentioned here under:-



(i) Upon receiving the secret information, an FIR was registered immediately without making any prior or separate entry in the Daily Diary Register.

(ii) Upon examining the details mentioned in the FIR, it appears that General Diary (GD) Entry No. 008 was registered on 20.09.2024 at 09:30 hours. Simultaneously, the impugned FIR was also registered to initiate proceedings for conducting a raid at the residence of Rinku Thapar. In other words, the FIR was lodged even before the alleged recoveries were effected from the accused. This sequence of events reveals the possibility of registration of ante-time FIR. However, the authenticity and timing of the FIR will ultimately be determined during the final stage of the trial.

(iii) Registration of the FIR at first instance, before effecting of recovery of contraband, weapons or currency notes, shows that the version is concocted, and thereupon, same is converted into the shape of First Information Report, portraying it to be a case of committing raid and effecting of recoveries, thereafter.

(iv) Prior to the registration of the case, upon receiving the secret information, no reasons were recorded to establish the reliability of the information, as no recovery had been effected by the police.

(v) Except few of the accused (one or two), no contraband/drug etc. punishable under the NDPS Act, has been recovered from the petitioners. Therefore, taking the plea that secret information was highly reliable is not convincing one.



(vi) While arresting the accused upon raids, prosecution even did not apply its mind that some of the accused who are of the age of 50 or 70 years of age, were earlier never found involved in any such activity, then, on what strong basis, they can be held the members of the gang at such a belated stage of life.

(vii) It is also pointed out that one of the accused namely Harvinder Singh, is a registered money exchanger in the name of his wife, before challaning him as accused, no investigation was conducted to verify the business working of the said accused.

(viii) Even otherwise also, investigation *qua* all the petitioners herein has been completed and final report under Section 193 of BNSS (173 of Cr.P.C.) has also been submitted. Culmination of the trial is likely to consume a considerable time, therefore, bail if granted to the petitioners, would not affect, in any manner, to the prosecution, or the Court proceedings.

(ix) Admittedly, there is no recovery, assuming it to be a case of commercial quantity of the contraband/drugs, punishable under NDPS Act, and therefore, plea of bail requires to be considered with a moderate view.

7. On the other hand, learned State counsel refers to the role of each of the accused from the status report, filed before this Court and submits that it is a serious offence against the society and such offences are at its peak due to which youth in the State of Punjab is completely misdirected.



Heavy recovery of cash amount, which in fact, is a drug money, recovery of arms/weapons along with contraband from some of the accused sitting there, makes it clear that all the accused are members of a gang and earned drug money is shared by all of them.

8. **Noticing the arguments recorded here above, and in view of the common status report filed by the State, by dealing with the role of each of the accused/petitioners herein, plea of bail is decided as under:-**

**A. Rinku Thapar – petitioner in CRM-M-5338-2025**

1. In pursuance to the secret information and registration of FIR, raid was conducted at the house of petitioner – Rinku Thapar, and from his possession, following articles were recovered:-

- i. 38 live cartridges of .32 bore pistol
- ii. 08 live cartridges of LG and 02 empty cartridges
- iii. Drug money INR 618780/-
- iv. Gold ornaments and gold brick/biscuit weighing 262 grams
- v. 01 cannon camera
- vi. Apple watch
- vii. 03 laptops
- viii. 04 mobile phones and 01 mobile phone during personal search
- ix. 04 cars (Alto, Endeavour, Thar and Scorpio)
- x. 01 skin and 02 horns likely to be that of deer, and
- xi. Electronic weighing machine.



2. On the very outset, counsel for the petitioner prays for withdrawal of the present petition i.e. CRM-M-5338-2025.

3. Taking into consideration the statement made by counsel for the petitioner, present petition i.e. **CRM-M-5338-2025 stands dismissed as withdrawn.**

**B. Chandan Sharma – petitioner in CRM-M-5478-2025, and Aakash Sharma – petitioner in CRM-M-5917-2025:-**

1. Though, both the petitioners have filed separate petitions, i.e. CRM-M-5478-2025 and CRM-M-5917-2025, but both are related as real brothers and were arrested together on 20.09.2024 by one raiding team from their common house at Amritsar. Therefore, prayer for bail is dealt with jointly.

2. It is an admitted position by the prosecution that no recovery was effected from either of the two petitioners, namely, Chandan Sharma and Aakash Sharma. Furthermore, there is no record of any previous criminal case registered against them prior to the initiation of the proceedings in present case.

3. *Prima facie* it appears that allegations against the petitioners are merely bald and unsubstantiated, asserting only that they are members of the gang led by Rinku Thapar, and are therefore suspected to be involved in the illegal narcotics trade. Notably, it is not even the case of the prosecution that any currency, alleged to be drug money, has been recovered from the petitioners.

4. Petitioners have been in custody since 20.09.2024 and are not reported to be involved in any other criminal case. It is also relevant



to note that two similarly situated co-accused, Bharat and Pratham Hans, from whom no recovery was effected and who were found present at the time of the raid at Rinku Thapar's residence, have already been granted regular bail by this Court.

In light of the parity principle and considering the absence of any recovery or prior criminal record against the petitioners, they too are entitled to the same relief.

5. Accordingly, bail petitions of both the petitioners, namely **Chandan Sharma and Aakash Sharma, are hereby accepted and allowed.**

**C. Arwinder Singh @ Gavi – petitioner in CRM-M-7960-2025**

1. Although, the petitioner, namely Arwinder Singh @ Gavi was named in the secret information and the FIR, but he was not found present at Rinku Thapar's residence during the raid conducted on 20.09.2024. Instead, he was arrested on 21.09.2024 when a separate police team conducted a raid at his residence in Amritsar, during which an amount of Rs.6,30,000, alleged to be drug money, was recovered from him.

2. It is not the prosecution's case that any prior criminal case has been registered against the petitioner. Furthermore, *prima facie* it appears that he was not apprehended alongside the other alleged gang members, who were found together at a single location, which could raise a question regarding his direct involvement and existence of any common intention or meeting of minds with the co-accused.



3. Such aspects require thorough examination during the course of the trial. Thus, in the view point of this Court, petitioner is also entitled for concession of bail. **Accordingly, bail petition i.e. CRM-M-7960-2025, is allowed.**

**D. Harvinder Singh – petitioner in CRM-M-62331-2024:-**

1. With respect to the recoveries attributed to the petitioner, the same are detailed and reproduced herein for reference:-

- i. INR 28,50,000/-
- ii. UDS 6076
- iii. Australian Dollar 11465
- iv. Singapore Dollar 1760
- v. Dubai Dinar 25100
- vi. Malaysian Dollar 1033
- vii. New Zealand Dollar 805
- viii. Canadian Dollar 2690
- ix. Hong Kong Dollar 210
- x. UK Pound 1065

2. Explanation given by counsel for the petitioner is that petitioner is aged 70 years, and till date, never any kind of allegation even under the NDPS Act was levelled against him by any agency. Son and daughter-in-law of the petitioner are qualified doctors, having good reputation in the society.

3. Also pleaded in the paragraph No.4 of the bail petition that petitioner is running a business of currency exchange in Amritsar and is



a registered money exchanger from several money exchange companies like Western Union and Transfast.

4. While arguing the petition, counsel clarifies that in fact, business which is being run by the petitioner is in the name of his wife namely Rajinder Kaur,

5. In the status report filed by the State, no specific response has been provided to the factual assertion made in the bail petition. Consequently, at this stage, this Court is constrained to accept the said fact as correct, subject to the prosecution establishing the petitioner's involvement in the illegal drug trafficking business through production of cogent and positive evidence, which would include, proving that substantial amount of foreign currency recovered from the petitioner, was indeed linked to such illegal activities.

6. Petitioner has been in judicial custody since 28.09.2024. His name surfaced in the present case solely on the basis of the disclosure statement made by the co-accused, Lovepreet Singh @ Lovi. Notably, there has been no recovery from the petitioner in relation to any contraband or substances falling under the NDPS Act. Furthermore, the State has not furnished any response to the specific ground raised in paragraph No.4 of the bail petition.

7. Considering these factors, along with the petitioner's age and the total duration of his incarceration, this Court is of the view that petitioner's plea for bail merits consideration. **Accordingly, prayer for grant of regular bail to the petitioner – Harvinder Singh is accepted.**



**E. Vishal Singh alias Raja – petitioner in CRM-M-7482-2025:-**

1. The petitioner's name was neither mentioned in the secret information nor in the FIR. However, he was arrested on 20.09.2024 when he was found sitting at the residence of Lovepreet Singh @ Lovi in Amritsar during the raid.

2. From the personal possession of the accused, an unlicensed pistol of .32 bore was recovered. Additionally, he is stated to be involved in another case under the NDPS Act, wherein 50 grams of intoxicant powder, falling under the non-commercial quantity category, was allegedly recovered. Learned State counsel has opposed the grant of bail, requesting the Court to decline the plea.

However, upon examination of the record and status report, it is noted that no direct connection has been shown between the petitioner and the main accused or any other drug smuggler. The status report does not mention of any call details or other materials to indicate such a link, nor any such evidence was highlighted during the course of hearing of the bail petition. Therefore, at this stage, involvement of the petitioner under the NDPS Act appears to be *prima facie* subject to the evidence that is yet to be led by the prosecution before the trial Court.

3. Petitioner being there inside jail since 20.09.2024, and there being no recovery of any narcotic substance or drug money, his plea for regular bail seems to be worth considerable. **Accordingly, his plea of**



**regular bail is accepted and petition i.e. CRM-M-7482-2025 is thus, allowed.**

**E. Divyam-petitioner in CRM-M-10845-2025:-**

1. Since, recovery of *charas* weighing 381 grams has been made from the petitioner, counsel for the petitioner chooses not to press the plea of regular bail. **Accordingly, petition stands disposed of, as having been not pressed.**

**G. Ankush Bhatti-petitioner in CRM-M-12380-2025**

1. Although, name of the petitioner is mentioned in the FIR and also in the secret information, and at the time of conducting raid by the police on 20.09.2024, he was found present and arrested from Rinku Thapar's residence.

2. From his possession, one pistol Glock 9 mm along with two unlicensed live cartridges, were recovered.

3. As per status report and the arguments addressed before the Court, nothing more has been highlighted to conclude that the petitioner is directly involved in the drug business with the gang people, and it is also disclosed that petitioner is not involved in any other case falling under the NDPS Act.

4. Petitioner being inside jail since 20.09.2024, and according to the view point of this Court, his plea of regular bail is worth considerable. **Accordingly, present bail petition i.e. CRM-M-12380-2025, is allowed.**

**H. Kamal Kumar-petitioner in CRM-M-6545-2025**



1. Name of the petitioner neither appears in the secret information, and in the First Information Report (FIR), nor he was present or arrested at the time of the raid, conducted at the house of Rinku Thapar. The petitioner was implicated in the case, solely on the basis of disclosure statement made by the co-accused, namely, Lovepreet Singh @ Lovi. Pursuant to the statement made by the arrested accused, petitioner was arrested on 21.09.2024.
2. At the time of the petitioner's arrest from his residence in Ludhiana, no incriminating material was recovered from his possession. The prosecution primarily relies on the contents of the disclosure statement made by co-accused Lovepreet Singh @ Lovi, wherein it is stated that petitioner was a heroin addict and would accompany Lovepreet Singh, whenever asked to travel to Ludhiana or Phillaur, during which the petitioner allegedly used to drive Lovepreet Singh's car.
3. Learned counsel for the petitioner contends that the implication of the petitioner in the present case is without any legal basis. It is argued that, as per settled law, the disclosure statement of a co-accused has no evidentiary value, unless its contents are duly corroborated by independent and reliable evidence. In the present case, there is no such corroboration, and no recovery has been effected from the petitioner to substantiate the allegations made against him.
4. Taking into consideration all the submissions made by the learned counsel for the petitioner, particularly the fact that petitioner has been in custody since 21.09.2024 and his involvement in the case is



solely based on the disclosure statement of the co-accused without any corroborative evidence or recovery from his possession, this Court finds merit in the petition. Furthermore, it has been submitted that the petitioner is 37 years of age and the sole breadwinner of his family. **In view of these circumstances, the petition i.e. CRM-M-6545-2025 is allowed.**

**Final outcome:-**

1. In view of the reasons recorded here above, prayer made by the petitioners namely Chandan Sharma in CRM-M-5478-2025, Harvinder Singh in CRM-M-62331-2024, Aakash Sharma in CRM-M-5917-2025, Arwinder Singh @ Gavi in CRM-M-7960-2025, Kamal Kumar in CRM-M-6545-2025, Vishal Singh @ Raja in CRM-M-7482-2025 and Ankush Bhatti in CRM-M-12380-2025, is allowed, and they are ordered to be released on regular bail, subject to their furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.
2. Needless to observe that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.
3. The observations made hereinabove shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.



4. It is further made clear that if, in future, petitioners are **directly found indulged** in similar kind of activities, prosecution would be at liberty to move an application immediately, for cancellation of this bail order.

5. For the purpose of clarity, the decision in each petition is also tabulated here under:-

Sr. No.	Petition No.	Petitioner's name	Final Outcome
1.	CRM-M-5338-2025	Rinku Thapar	<b>Petition stands dismissed as withdrawn.</b>
2.	CRM-M-5478-2025	Chandan Sharma	Petition allowed, and bail granted
3.	CRM-M-62331-2024	Harvinder Singh	Petition allowed, and bail granted
4.	CRM-M-5917-2025	Aakash Sharma	Petition allowed, and bail granted
5.	CRM-M-7960-2025	Arwinder Singh @ Gavi	Petition allowed, and bail granted
6.	CRM-M-6545-2025	Kamal Kumar	Petition allowed, and bail granted
7.	CRM-M-7482-2025	Vishal Singh @ Raja	Petition allowed, and bail granted
8.	CRM-M-10845-2025	Divyam	<b>Petition stands dismissed, being not pressed</b>
9.	CRM-M-12380-2025	Ankush Bhatti	Petition allowed, and bail granted

5. With the observations made hereinabove, present petitions stand disposed of.

6. A photocopy of this order be placed on the files of other connected cases.

**(SANJAY VASHISTH)**  
**JUDGE**

**07.05.2025**  
Lavisha

Whether Speaking/Reasoned: **YES/NO**  
Whether Reportable: **YES/NO**