

2025:PHHC:067918



229.

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

**CRM-M-12591-2025**

Date of decision: 20.05.2025

Jarmanjit Singh @ Jarman

.... Petitioner

Versus

State of Punjab

.... Respondent

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

Present: Mr.Veneet Sharma, Advocate, for the petitioner.

Mr. Amit Rana, Senior DAG, Punjab, with SI Baljinder Singh.

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**MANJARI NEHRU KAUL, J. (ORAL)**

1. Prayer in this petition filed under Section 483 of BNSS, 2023, is for grant of regular bail to the petitioner in case FIR No.111, dated 27.07.2024, under Sections 21, 23, 29, 61, 85 of NDPS Act and Sections 25, 54, 59 of Arms Act, registered at Police Station Special Task Force (STF), District STF Wing (SAS Nagar, Mohali).

2. Learned counsel for the petitioner submits that the petitioner has been in custody since 27.07.2024 in an apparent case of false implication. It has been argued by the learned counsel that as per the case of the prosecution, a specific secret information was received regarding the involvement of the petitioner and co-accused, Jorawar Singh, being involved in the business of drug trafficking. Pursuant to secret information,

a recovery of 1.8 kgs of heroin was effected from open fields and from the possession of co-accused, Jorawar Singh, however, when the petitioner was arrested on 27.07.2024, no recovery of any contraband either from the conscious possession of the petitioner or from his house, was made, which leaves no manner of doubt about the petitioner's innocence. It has been further submitted that the petitioner has no previous criminal antecedents, which yet again corroborates his innocence in the present case. Learned counsel has, therefore, prayed that in the aforementioned facts and circumstances since the investigation qua the petitioner is complete and even charges have been framed, further incarceration of the petitioner would serve no useful purpose as only 01 prosecution witness out of 26 cited has been examined so far.

3. *Per contra*, learned State counsel, while opposing the prayer and submissions made by the counsel opposite, has not disputed the custody period of the petitioner nor has he disputed, on instructions, the stage of trial. However, learned State counsel has submitted that a specific information had been received qua the petitioner as well as co-accused, Jorawar Singh that they were procuring heroin from across the border; pursuant to said secret information when the co-accused, Jorawar Singh, was arrested, a huge recovery of 540 grams of heroin was made from him along with some firearm; the remaining contraband was, however, recovered from open fields.

4. On being pointedly asked, learned State counsel, on instructions, has conceded that no recovery of any contraband was made from the petitioner.

5. On a further query as to whether the petitioner was in any manner related to co-accused, Jorawar Singh, he has, on instructions, replied in the negative.

6. On further query as to whether the petitioner was the owner of the fields from where the remaining contraband was recovered or if he was residing in the said fields, learned State counsel, on instructions, has yet again replied in the negative.

7. Learned State counsel has, on instructions, not been able to contest that the petitioner has no previous criminal antecedents.

8. I have heard learned counsel for the parties and perused the material placed on record.

9. The petitioner has been in custody since 27.07.2024. As not disputed, no recovery of any contraband, much less heroin, was made from the petitioner nor he is stated to be involved in any other case, much less under the NDPS Act. The investigation qua the petitioner is complete, however, the trial is unlikely to conclude in the near future, as 25 prosecution witnesses still remain to be examined.

10. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

11. Accordingly, the instant petition is allowed and the petitioner be admitted to bail on his 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.

**(MANJARI NEHRU KAUL)**  
**JUDGE**

**May 20, 2025**

sanjeev

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No