



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

285

**CRM-M-7226-2025 (O&M)
Date of Decision:-22.05.2025**

JAGMOHAN SINGH

...Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. I.S. Khara, Advocate for the petitioner.

Mr. K.D. Sachdeva, DAG Punjab.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 483 BNSS, 2023 for grant of regular bail to the petitioner in the following case :-

| FIR No. | Dated | Sections | Police Station |
|----------------|--------------|---|--|
| 62 | 13.11.2024 | 21(b) and 27-A of the NDPS Act; (29 NDPS Act added later on) | Bhaini Mian Khan, District Gurdaspur, Punjab |

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the petitioner has no concern whatsoever with the alleged recovery effected from co-accused Gurpreet Singh @ Gopi. He further contends that the name of the petitioner surfaced in the disclosure statement of aforesaid co-accused and he has already been granted the concession of



bail by this Court vide order dated 24.03.2025 passed in CRM-M-11676-2025. He submits that after the arrest of the petitioner, no recovery of contraband has been recovered from him and he is in custody since 19.12.2024. He further submits that after the completion of investigation, challan has been presented in Court and the conclusion of trial will take sufficient long time. Thus, prays for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel on instructions from the Investigating Officer of the case has opposed the petition on the ground that the petitioner was nominated by co-accused Gurpreet Singh from whom, 10.04 grams of heroin was recovered. He, however, has not disputed the fact that the said Gurpreet Singh has already been granted the concession of bail.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that as per the case of prosecution on 13.11.2024, the police party apprehended co-accused Gupreet Singh and 10.04 grams of heroin, one electronic weighing scale along with ₹5,000/- was recovered from him. During the course of his interrogation, he nominated the present petitioner as the supplier of the contraband, however, admittedly, no recovery of contraband has been effected from the petitioner after his arrest. Petitioner is in custody since 19.12.2024 and after the completion of investigation, challan has been presented in Court. Co-accused Gurpreet Singh, who was apprehended at the spot along with contraband and on whose disclosure statement, the present petitioner has been nominated, has already been



granted the concession of bail by this Court (*supra*). The criminal liability, if any, of the petitioner, could only be determined after the conclusion of trial, which may take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.

6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. It is further made clear that in case the petitioner is again found involved in any case under NDPS Act, in future, after his release on bail, it will be open for the prosecution to move an application for cancellation of his bail in accordance with law.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

22.05.2025

S.Sharma(syr)

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|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |