



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

226

**CRM-M-18355-2025
Date of decision: 24.07.2025**

JASKARAN SINGH ALIAS JASSA

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Ruhani Chadha, Advocate for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH. J.(Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
JASKARAN SINGH ALIAS JASSA	35	11.06.2024	21, 25, 27(a) and 29 of NDPS Act	State Special Operation Cell	Amritsar

2. Learned counsel for the petitioner contends that there is a recovery of 11 grams of heroin from co-accused Lovejeet Singh @ Sarpanch, which was effected from the pocket of the trouser worn by him. Accused Lovejeet Singh @ Sarpanch was accompanied by one more accused namely Gursewak Singh. While both were riding one activa scooter bearing No.PB-18W-7193, currency notes of Rs.4,81,000/- were also recovered from the dicky of the scooter.



- 2-

While the petitioner was in custody in some other case, his name was involved in the present case through the disclosure statement of Lovejeet Singh @ Sarpanch by alleging that, it is the petitioner Jaskaran Singh @ Jassa, who delivered 100 grams of heroin to him.

3. Counsel further argues that apart the disclosure statement, there is no other connecting evidence, creating direct link with the crime or with the main accused- Lovejeet Singh @ Sarpanch. Moreover, this version has been developed subsequently, after effecting arrest of the main accused, just to multiply the number of criminal cases under the NDPS Act against the petitioner, so that the purpose of him coming out on bail be got defeated.

4. He further argues that petitioner was brought on production warrants on 28.10.2024 in the present case and thereupon was confined in judicial custody with effect from 30.10.2024. In this way petitioner is in custody for the last more than 08 months. Petitioner is not involved in any other case of similar nature except one more similar case i.e. FIR No.140 dated 09.10.2023, under Sections 307, 34 IPC, Section 21-C, 29,61,85 of NDPS Act and under Sections 25, 27, 54, 59 of Arms Act, registered at Police Station Chabhal, District Tarn Taran, in which he was already in jail.

There are three other cases registered against the petitioner under the Arms Act as detailed in custody certificate. However, petitioner submits that, in all said cases petitioner has been falsely involved after being made accused in the present case, through the disclosure statement.

5. Supplementary challan was submitted on 31.07.2025 and charges are yet to be framed. There is a list of 14 prosecution witnesses also and process of



- 3-

recording of statement of the witnesses is yet to begin. Thus, prays for grant of regular bail.

6. On advance notice and in response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 23.07.2025 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has already been handed over to the counsel for the petitioner.

As per custody certificate, petitioner has already undergone 08 months and 23 days period inside jail.

7. Learned State counsel submits that although the petitioner is involved in supplying non-commercial quantity of contraband, but this menace of drug trafficking is increasing in the society. He further submits that petitioner is involved in several other cases, as reflected in the custody certificate. Thus, petitioner is not entitled to the grant of concession of regular bail.

8. This Court has heard the learned counsel for the parties concerned, and has gone through the record.

9. Undoubtedly, in majority of the cases including the present one, the FIRs were registered against petitioner during the period, when he was already in jail. The culpability of the petitioner is yet to be ascertained, particularly with regard to the allegation of delivering contraband, which remains unproven in a case where prosecution primarily relies on the disclosure statement of the co-accused, and therefore, personal liberty of petitioner cannot be curtailed for indefinite period.

Consequently, prayer made in the present petition is **allowed**.



- 4-

Petitioner is ordered to be released on bail, subject to his 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.

10. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

11. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

12. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

13. Petition stands disposed of.

24.07.2025
amandeep

(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No