



In the High Court for the States of Punjab and Haryana  
At Chandigarh

CRM-M-45633-2024 (O&M)  
Date of Decision:-18.9.2024

Vishal Singh @ Shallu ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vaibhav Narang, Advocate for the petitioner.

Mr. Japjot Singh, AAG, Punjab.

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| FIR No. | Dated     | Police Station                                      | Section/s                                                                                                                           |
|---------|-----------|-----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| 100     | 22.5.2024 | Islamabad, District Police Commissionerate Amritsar | 21-C, 25, 27-A of NDPS Act, wherein offence under Section 29 of NDPS Act and Section 25 of Arms Act, 1959 have been added later on. |

GURVINDER SINGH GILL, J. (Oral)

- The petitioner seeks grant of regular bail in respect of the aforementioned FIR.
- The case of prosecution is that on 22.5.2024, one Rajinder Singh @ Raja was apprehended by the police on the basis of a secret information and from whom 500 grams of ‘heroin’ was recovered apart from an amount of Rs.40,000/-. It is further the case of prosecution that during the course of interrogation, he disclosed the name of one Abhishek @ Abhi to be his associate. Upon arrest of Abhishek, he disclosed that he had been purchasing



'heroin' from one Ranjit Singh @ Kaka and that subsequently one Simar Singh @ Kukri had also joined them in drug peddling. When the police went out to search for Ranjit Singh @ Kaka pursuant to disclosure statement of Abhishek and conducted a raid at the house of Ranjit Singh @ Kaka, the petitioner was also found present there and 14 live cartridges were recovered from his personal search.

3. Learned counsel for the petitioner submits that the petitioner is neither named in the FIR nor in any of the disclosure statements made by co-accused and that the only allegation against him is that he was found present in the house of co-accused Ranjit Singh @ Kaka and was possessing 14 live cartridges. It has been submitted that he has been falsely implicated in the present case and that there is no credible evidence against him to show that he was into drug trafficking in any manner.
4. Opposing the petition, learned State counsel submitted that since the petitioner was found alongwith co-accused against whom there is evidence to be involved in drug trafficking, the complicity of the petitioner is clearly evident particularly when he was also found in possession of 14 live cartridges without any license. Learned State counsel has, however, informed that the petitioner has been behind bars since the last more than 3 months and is otherwise not involved in any other case.
5. This Court has considered the rival submissions addressed before this Court.
6. Having regard to the fact that the petitioner is not nominated by any of the co-accused and is not named in the FIR and the allegations against him are broadly to the effect of recovery of 14 live cartridges and while also noticing



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that he otherwise has clean record, this Court is of the opinion that it is a fit case where the petitioner could be extended the benefit of bail.

7. The instant petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

18.9.2024  
Geeta

( Gurvinder Singh Gill )  
Judge

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|----------------------------|----------|
| Whether speaking /reasoned | Yes / No |
| Whether Reportable         | Yes / No |