



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

Date of Decision:12.08.2025

...Petitioner

Vs.

...Respondent

CRM-M-29289-2025

...Petitioner

Vs.

...Respondent

Present: Mr. Ranjeet Singh, Advocate with
Mr. Davinder Singh, Advocate
for the petitioner in CRM-M-4042-2025.

Mr. Jashandeep Singh Sandhu, Advocate
for the petitioner in CRM-M-29289-2025.

Mr. Ravneet Singh Joshi, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. This order shall dispose off two bail petitions i.e CRM-M-4042-2025 titled as “***Davinder Singh @ Pande Vs. State of Punjab***” and CRM-M-29289-2025 titled as “***Sikander Singh Vs. State of Punjab***”, whereby the petitioners have prayed for grant of regular bail to them in case arising out of FIR No.27, dated 06.08.2023, registered under Sections 21(c), 29 of NDPS Act, Section 27 of the NDPS Act added later on, Police Station SSOC, Fazilka, District Fazilka.

2. The FIR in the present case was registered on the basis of secret



information to the effect that Jagdeep Singh @ Bhuchar and Jasbhinder Singh @ Bhinda were smuggling heroin from Pakistan. Accordingly, a raid was conducted and both Jagdeep Singh @ Bhuchar and Jasbhinder Singh @ Bhinda were arrested by the police, while they were carrying 36 Kgs of heroin with them.

3. Learned counsel appearing on behalf of petitioner Sikander Singh (petitioner in CRM-M-29289-2025) submits that the petitioner was neither named in the FIR nor he was apprehended at the spot. Even, he had no concern with the two accused, who were arrested at the spot, while they were carrying 36 Kgs of heroin illegally. He further contends that even the mandatory provisions of search and seizure were not followed, while effecting the recovery from his co-accused. The petitioner was nominated as an accused in the present case on the basis of the disclosure statement suffered by his co-accused and except that there is no other evidence against him. The petitioner was arrested on 18.11.2024 and is in custody since then. Even, there is no other case against him under the provisions of NDPS Act.

4. Learned counsel appearing on behalf of the petitioner Davinder Singh @ Pande (petitioner in CRM-M-4042-2025) has also raised similar submissions. He submits that the petitioner was arrested in the present case on 18.08.2024 and is in custody for the last about 01 year. Learned counsel further submits that no recovery was effected from him.

5. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner(s).

6. I have heard the learned counsel for the parties and perused the



record carefully.

7. It is an admitted case of the prosecution that no recovery was effected from both the petitioners. Even, the petitioners were never involved in any other case under the provisions of NDPS Act. Apart from that, the prosecution is yet to lead evidence with regard to the involvement of the petitioner(s) in the present case.

8. Without commenting on the merits of the case, the present petition(s) is allowed. The petitioner(s) is ordered to be released on bail pending trial on their furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

(N.S.SHEKHAWAT)
JUDGE

12.08.2025
hitesh

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No