



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

236

CRM-M-12023-2025

Date of decision: July 17, 2025

JOBANPREET SINGH @ JOBANJIT SINGH @ JOBAN

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Shavinder, Advocate for
Mr. B.S. Bhalla, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab
with SI Tarlok Singh.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in case FIR No.07 dated 19.01.2024 under Section 21/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Chattiwind, District Amritsar.
2. Learned counsel for the petitioner contends that a secret information was received *qua* the involvement of co-accused Ram Singh, from whom a recovery of 270 grams of heroin was allegedly effected. It has been asserted by the learned counsel that no such secret information was received regarding the petitioner, and instead, he came to be nominated later on in the disclosure statement purportedly suffered by co-accuse dRam Singh, who claimed that the recovered contraband had been supplied to him by none other than the petitioner.
3. Learned counsel for the petitioner has further submitted that after the petitioner was arrested on 30.11.2024, following his name surfacing in the disclosure statement of co-accused Ram Singh, no recovery of any contraband, much less heroin, was made from him, which clearly points to his false implication in the instant case. Learned counsel, therefore, prays



that in the aforementioned facts and circumstances, moreso when investigation is complete, challan stands presented followed by framing of charges also, further incarceration of the petitioner would serve no useful purpose as none of the 11 prosecution witnesses have been examined so far.

4. *Per contra*, learned State counsel has vehemently opposed the prayer and submissions made by the counsel opposite. He, on instructions, has not disputed the custody period of the petitioner nor has it been disputed that no recovery of any contraband was made from the petitioner, following his name cropping up in the disclosure statement of co-accused Ram Singh, and on his arrest on 30.11.2024. However, it has been submitted that the petitioner is the alleged supplier of the recovered contraband.

5. Learned State counsel has also submitted that the petitioner is involved in three other criminal cases including one under the NDPS Act; the petitioner is on bail in the cases registered against him under the IPC, however, in the case registered against the petitioner under the NDPS Act, he is in custody, which stands reflected in the custody certificate placed on record today.

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

7. The petitioner has been in custody since 30.11.2024. No secret information *qua* the involvement of the petitioner in drug trafficking was received by the police unlike the co-accused. On his arrest as well, no recovery of any contraband, much less heroin, was made. The investigation in the instant case is complete, however, the trial is unlikely to conclude in the near future as none of the 11 prosecution witnesses have been examined.

8. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of regular bail to the petitioner as the trial would take considerable time to conclude.

9. 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, while admitting the



petitioner to bail, learned trial Court/Duty Magistrate concerned may put him to any stringent conditions as it deems fit, so as to ensure the presence of the petitioner during the trial.

10. 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.

11. Needless to add here, in case the petitioner is found misusing the concession of bail, the State would be at liberty to approach this Court to seek cancellation of bail to him.

July 17, 2025
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No