



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

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**CRM-M-12635-2025
Decided on : 03.07.2025**

Narain Singh alias Naina . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Sukhwinder S. Dhillon, Advocate
for the petitioner(s).

Mr. Manjinder S. Bhullar, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. At the outset, learned State counsel has filed the status report dated 05.04.2025, as well as custody certificate dated 03.07.2025 in Court today, which are taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

Copies thereof have been handed over to the counsel for the petitioner.

2. 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 here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Narain Singh alias Naina	105	30.07.2021	21 & 29 of NDPS Act	Sadar Patti	Tarn Taran

3. There is recovery of 270 grams of 'Heroin' from the main-accused – Gurmail Singh. Subsequent to the registration of FIR in question,



and arrest of the main accused, petitioner has been involved in the present case, only on the basis of disclosure statement of the arrested accused. Thus, in the present case, nothing has been recovered from the possession of the petitioner, however, as per allegations, he is supplier of the contraband, which has been recovered from the main accused – Gurmail Singh.

4. Learned counsel for the petitioner, while referring to the status report which shows the involvement of the petitioner in another case under the NDPS Act, i.e., FIR No.108 dated 03.08.2021, registered under Sections 21/61/85 of NDPS Act, at Police Station Sadar Patti (Tarn Taran), submits that the petitioner was arrested on 03.08.2021 in the said case. It is argued that the petitioner has been shown to be involved in the present case, i.e., FIR No.105 dated 30.07.2021, registered at the same police station, subsequent to his arrest in the present case. The involvement of the petitioner in the aforementioned case cannot be confirmed unless the same is established by the prosecution beyond reasonable doubt.

5. It is further submitted by learned counsel for the petitioner that the petitioner has been in custody in the present case since 23.04.2022, and has been suffering incarceration since then, without there being any other substantial evidence with the prosecution except the disclosure statement. Thus, learned counsel prays for the grant of regular bail to the petitioner.

6. On the other hand, learned State counsel while vehemently opposing the prayer of bail submits that petitioner is involved in several other cases, including one under the NDPS Act, which has been detailed in para No.10 of the status report.

Besides, learned State counsel submits that considering the



antecedents of the petitioner, he does not deserve any sympathy by grant of concession of regular bail by this Court.

7. I have heard the submissions addressed by learned counsel for the parties from both sides and have also taken note of the fact that the petitioner's involvement in the present case is based solely on a disclosure statement, which itself was recorded after he had already been arrested in another case, i.e., FIR No.108 dated 03.08.2021, registered at the same Police Station, Sadar Patti. Therefore, onus lies upon the prosecution to establish, during trial, its case beyond the shadow of doubt so as to connect the petitioner with the present case.

8. Therefore, taking note of the submissions and the circumstances, noticed here-above, I deem it appropriate to consider the petitioners' plea for grant of bail.

9. Consequently, prayer made in the present petition is **allowed**. 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. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.



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.

(SANJAY VASHISTH)
JUDGE

July 03, 2025
J.Ram

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