



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

308

CRM-M-12458-2025

Date of decision: 5th September, 2025

Sarwan Singh @ Samma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

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

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 99 dated 26.07.2024 registered under Sections 21 and 29 of Narcotic Drugs and Psychotropic Substance Act, 1985 (for short 'NDPS') and Section 25 of Arms Act, 1959 at Police Station Kot Ise Khan, District Moga.

2. As per the allegations, on 26.07.2024, on receipt of a secret information to the effect that one Saudagar Singh @ Sagar was indulged in the business of selling heroin and at that moment, he was present at the bus stand of Village Nasirpur Jaina for selling heroin to some customer and that he could be apprehended with contraband, and on believing the secret information to be true, a raiding party was immediately formed. Ruqa was sent to the police station. The police party reached at the informed place and



apprehended Saudagar Singh @ Sagar. After completing due formalities, search of his bag was conducted and 800 grams of heroin was recovered from the same. Accused Saudagar Singh was formally arrested. On interrogation, he suffered disclosure statement on the basis of which the petitioner and co-accused Gurjeet Singh were nominated as accused. He also disclosed that he had received the contraband from the petitioner and co-accused Gurjeet Singh and had to sell/supply the same to Ankit Sharma and Akshey.

3. As per the further allegations, the petitioner was arrested on 11.09.2024 by issuance of production warrants as he was in custody in some other case. Investigation now stands completed and trial is going on.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of the co-accused which cannot be considered to be admissible in evidence. Neither any contraband nor any illicit weapon had been recovered from him. The trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. His involvement in other cases cannot be considered to be a reason for denying benefit of bail. The co-accused Gurjeet Singh is alleged to be the supplier of 800 grams of heroin which was recovered from the co-accused. He has been in custody since 11.09.2024. Co-accused Gurjeet Singh has since been extended benefit of bail. Accordingly, it is urged that he deserves to be released on bail.

5. Status report has been filed. It is argued by learned State counsel that keeping in view the gravity of the allegations levelled against the petitioner, he does not deserve to be released on bail. Therefore, it is



urged that the petition does not deserve to be allowed.

6. This Court has heard learned counsel for the parties at considerable length and has gone through the record carefully.

7. The petitioner along with the co-accused Gurjeet Singh is alleged to be the supplier of 800 grams of heroin which was recovered from the co-accused. He has been in custody since 11.09.2024. Co-accused Gurjeet Singh has since been extended benefit of bail. Trial is likely to take time. No useful purpose would be served by keeping him in custody anymore. Keeping in view the above discussed facts and circumstances of the case but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

5th September, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*