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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Date of Decision: 04.12.2025

JAGROOP SINGH

... PETITIONER

VERSUS

STATE OF PUNJAB

... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Vipul Jindal, Advocate for the petitioner.

H.S. Grewal, J.(Oral)

1. This petition has been filed under Section 483 of the BNSS for grant of regular bail to the petitioner in FIR No. 80 dated 22.10.2023 under Sections 21(c) of NDPS Act (Sections 29,27(a) of NDPS added later on) registered at Police Station, Sarai Amant Khan, District Tarn Taran.

2. The brief facts of the case are that 755 grams of heroin was recovered from co-accused Satnam Singh and an amount of ₹10,000/- alleged to be drug money was recovered from co-accused Gurjant Singh @ Janta at the spot. During the investigation, co-accused Satnam Singh, in his disclosure statement, nominated the present petitioner alleging that the petitioner was involved in smuggling of heroin in connivance with him.

3. Learned counsel for the petitioner submits that the petitioner has been nominated only on the basis of the disclosure statement of co-accused Satnam Singh, which is not admissible in evidence. It is further submitted that the petitioner was already in custody in FIR No. 167 dated 03.10.2019 under Section 21(c) of the NDPS Act registered at Police Station Gharinda, Amritsar, and was arrested in the present case on 27.10.2023 through production warrants. Learned counsel contends that no recovery whatsoever has been effected from the petitioner and he is in custody since 27.10.2023.

4. Notice of motion.



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5. Mr. K.D.Sachdeva, DAG, Punjab accepts notice on behalf of the respondent-State and opposes the grant of bail on the ground that the petitioner is involved in a serious offence and does not deserve the concession of bail. He has filed the custody certificate in Court, which is taken on record. As per the custody certificate, the petitioner has undergone custody of 09 months and 04 days and is involved in two other cases. It is further submitted that the *challan* has already been presented, charges have been framed, however, out of total 20 prosecution witnesses, none has been examined till date.
6. I have heard the submissions made by the parties and gone through the record.
7. Considering the submissions of the learned State counsel; the fact that the petitioner has been nominated in the present case only on the basis of disclosure statement of co-accused, which is inadmissible in evidence; that the trial is not likely to conclude in the near future; and the petitioner has already undergone custody for 09 months and 04 days, no useful purpose would be served by keeping the petitioner incarcerated any further. His further detention would not advance the ends of justice.
8. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.
9. It is clarified that if on bail so granted through the instant order, the petitioner is found indulging in any other criminal case it shall be open to the State to seek cancellation of his bail.

04.12.2025
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(H.S.GREWAL)
JUDGE

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