



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

SR. NO.113

CRM-M-19488-2024 (O&M)
DATE OF DECISION: 06.08.2025

AMRIK SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE N.S. SHEKHAWAT

Present: Mr. Amardeep Singh Mann, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

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N.S. SHEKHAWAT, J.

1. The petitioner has filed the present petition Section 439 CrPC for grant of regular bail in case FIR No. 10 dated 28.03.2023 registered under Sections 15, 18, 21, 22, 27A and 29 of NDPS Act (offence under Sections 7 and 13A of the Prevention of Corruption Act, 1988 Section 52A of the Prison Act and Section 27 of NDPS Act added later on) at Police Station State Special Operations Cell, Fazilka, District Fazilka.

2. The FIR in the present case was registered against the petitioner and others on the basis of the complaint by SI Davinder Kumar 5097/INT and the same has been reproduced below:-

“Station house officer police station State Special Operation Cell Fazilka. It has been found from reliable sources that Raj

Kumar @ Raja Son of Fakeer Chand resident of Machhi Mandi P.S. City Ferozepur, District Ferozepur, Sonu Tiddi son of Mahesh Singh resident of Prem Nagar Lock no. 626, Near Convent School, P.S. Kant Ferozepur, District Ferozepur, Amrik Singh, Jarnail Singh resident of Palla Megha, P.S. Sadar Ferozepur, District Ferozepur who are confined in different-different NDPS cases in Central Jail Ferozepur. These persons have formed a gang inside jail and a running drug racket inside jail alongwith them Neru Bala wife of Raj Kumar @ Raja son of Fakeer Chand resident of Machhi Mandi P.S. City Ferozepur, and Gentajli Wife of Sonu Tiddi son of Mahesh Singh resident of Prem Nagar Lock no. 626, Near Convent School, P.S. Cant Ferozepur, who can be accomplice with jail employees. They send drug money for drug smuggling through mobile phone by using UPI system to their relatives and known persons. These persons further send this drug money in different-different accounts of Neeru Bala wife of Raj Kumar @ Raja son of Fakeer Chand resident of Machhi Mandi P.S. City Ferozepur and Geetanjali wife of Sonu Tiddi son of Mahesh Singh resident of Prem Nagar Lock no. 626, Near Convent School, P.S. Cant Ferozepur, and after obtaining details of bank accounts of Neeru Bala wife Raj Kumar @ Raja and Geetanjali wife of Sonu Tiddi that lacs of rupees have been received in their account through UPI system. If Raj Kumar @ Raja, Sonu Tiddi, Amrik Singh aforesaid are interrogated after taking them out of the jail then big racket of smuggling running in central Jail Ferozepur can be unearthed and complicity of their friends and employees of jail can be found and drugs can be recovered from them regarding which it was brought to notice of worthy A.I.G. counter intelligence, Ferozepur. The aforesaid accused Raj Kumar @ Raja son of Fakeer Chand resident of Machhi Mandi P.S. City Ferozepur, Sonu Tiddi son of Mahesh Singh resident of Prem Nagar Lock no. 626, near Convent School, P.S. Kant Ferozepur, District Ferozepur, Amrik Singh, Jarnail Singh

resident of Palla Megha, P.S. Sadar Ferozepur, District Ferozepur, Neeru Bala wife of Raj Kumar @ Raja resident of Machhi Mandi, P.S. City Ferozepur, Geetanjli wife of Sonu Tiddi son of Mahesh Singh resident of Prem Nagar, Lock no. 626, near Convent School, P.S. Kant Ferozepur, District Ferozepur by forming a gang with some other companions who smuggling of drugs inside jail and by sending drug money through mobile by using UPI System to his other companions fulfils the completion of offence under sections 15, 18, 21, 22, 278, 29, 61, 85 of NDPS Act. Ruqa after being written against Raj Kumar @ Raja son of Fakeer Chand, Sonu Tiddi son of Mahesh Singh, Amrik Singh son of Jarnail Singh, Meeru Bala wife of Raj Kumar @ Raja, Geetanjli wife of Sonu Tiddi is sent through senior constable Sukhchan Singh No. 6/468 Police Station for registration of FIR. FIR number may kindly be intimated after registration of FIR. Special report should be issued. PCR should be informed and regarding this separate written report under section 42 of NDPS Act is sent to worthy A.I.G, CI Ferozepur. I am busy in investigation within boundary area today office of counter intelligence unit Ferozepur. Time 4:30 PM Sd/- SI Dawinder Kumar 5097/intelligence counter intelligence, Unit Ferozepur dated 28.03.2023 today on received of aforesaid Ruqa against aforesaid accused under aforesaid sections at Police Station SSOC, FZK, FIR both registered. After registration of FIR copy of FIR alongwith copy of Ruqa is sent to Illaqa Magistrate and senior officers through Sct. Major Singh 1313/Moga, PCR is informed telephonically.”

3. Learned counsel for the petitioner contends that at the time of the commission of the alleged offence, the petitioner was confined in Central Jail, Ferozepur. It has been alleged that certain criminals confined in jail had formed a gang and were running a drug racket inside the jail premises. The petitioner was taken in custody, however, no evidence could be collected

against him. He was arrested on 05.10.2023 and after his arrest, no recovery was effected from the petitioner. Thus, even in the challan, the police could not refer to any incriminating evidence, which could have been collected against the petitioner. Further, there was no transaction in the bank accounts of the petitioner and the petitioner had no concern with the other accused, who were smuggling drugs inside the jail. Apart from that, Rajender Kumar @ Shaktiman, Nirpal Singh, Surjit Singh, who were the jail officials, have been granted the concession of bail by this Court. Even Raj Kumar and Niru Bala have also been granted the concession of bail by this Court.

4. On the other hand, in the present case, various status reports have been filed by senior police officers. As per the said status reports, the petitioner is a habitual offender and in the past also, the following 11 FIRs were found to be registered against the present petitioner:-

1. FIR No. 83 dated 29.04.2012 under Section 66D, 66F IT Act registered at PS Sadar Ferozepur;
2. FIR No. 22 dated 04.03.2017 under Section 8,21, 29, 61, 85 NDPS Act registered at PS Gajsinghpur Distt. Ganganagar (Rajasthan);
3. FIR No. 53 dated 26.04.2017 u/s 307, 324, 323, 341, 506, 427, 148, 149 IPC, Sections 25, 27, 54, 59 Arms Act registered at PS Kulgarhi Distt. Ferozepur;
4. FIR No. 170 dated 05.07.2018 u/s 15,18, 21, 22, 68C, 8A, 61 and 85 of NDPS Act, Sections 25, 27, 54 and 59 of Arms Act, registered at PS Sadar Ferozepur;

5. FIR No. 103 dated 10.09.2018 u/s 21,22, 25, 29, 61, 85 of NDPS Act, Section 411 IPC and 61 of IT Act registered at PS Kulgarhi, District Ferozepur;
 6. FIR No. 01 dated 07.01.2019 u/s 21,23, 29, 61 and 85 of NDPS Act registered at PS SSOC, Fazilka;
 7. FIR No. 163 dated 15.08.2019 u/s 21,29, 61,85 NDPS Act, 25,54, 59 Arms Act and 66D IT Act, PS Sadar Ferozepur;
 8. FIR No. 35 dated 28.01.2020 u/s 52A of Prison Act, 1894 registered at PS City Ferozepur;
 9. FIR No. 179 dated 14.10.2020 u/s 21,23, 29, 61 of 85 NDPS Act registered at PS Mamdot, Distt. Ferozepur;
 10. FIR No. 84 dated 29.02.2020 u/s 52A of Prison Act, 1894 registered at PS City Ferozepur, Distt. Ferozepur; and
 11. FIR No. 34 dated 20.02.2021 u/s 52A of Prison Act and Section 7 of the Prevention of Corruption Act registered at PS City Ferozepur, Distt. Ferozepur.
5. Learned State counsel has opposed the submissions made by the petitioner on the ground that the petitioner and his co accused were confined in jail and had formed a gang with other criminals, who were already involved in NDPS Act. All of them were running a drug racket inside the jail premises, with the help of the jail officials. During the course of investigation also, the connivance of the jail officials has also been established and they are also being prosecuted in the present case. Still further, the money, earned out of smuggling, was further deposited in various accounts of Neeru Bala and Geetanjali. Learned counsel further submitted that with the arrest of all these accused in the present case, a huge

drug racket running in the jail premises could be busted and being a habitual offender also, the petitioner does not deserve the concession of bail in the present case.

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

7. In the present case, no doubt the petitioner is in custody since 05.11.2023, but the petitioner is found involved in a grave offence. The petitioner, who is involved in various cases under the provisions of NDPS Act, was confined in Central Jail, Ferozepur. As per prosecution, the petitioner and other accused had formed a gang inside the jail and were supplying drugs not only to the inmates of jail, but were also involved in running a racket outside as well. The amounts received from the illegal activities was deposited in the accounts of Neeru Bala and Geetanjali, co-accused. Even during investigation, the police has found sufficient evidence of nexus between the petitioner as well as senior officers of the jail.

8. Keeping in view the gravity of the offence, the petitioner is not entitled to concession of bail in the present case. However, it is clarified that the above observations have been made only for the limited purpose of disposal of the present petition, which shall not be construed as an expression of opinion on the merits of the case. Accordingly, the present petition stands dismissed, being devoid of any merits. Pending applicatin(s), if any, shall also stand disposed of.

(N.S. SHEKHAWAT)
JUDGE

06.08.2025
mks

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO