



CRM-M-19092-2025

-1-

(240)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19092-2025

Date of Decision: 08.05.2025

GURJANT SINGH @ MOTA

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CRM-M-16903-2025

RANJIT SINGH @ RANA

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CRM-M-9978-2025

SAWINDER SINGH ALIAS AKASH

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CRM-M-18141-2025

JOBAN SINGH @ JOBAN

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Rajiv Kumar, Advocate
for the petitioner in CRM-M-19092-2025.

Mr. Naveen Bawa, Advocate

**CRM-M-19092-2025****-2-**

for the petitioner in CRM-M-16903-2025.

Mr. Hanspuneet Singh Kehal, Advocate
for the petitioner in CRM-M-9978-2025.

Mr. Ruhani Chadha, Advocate with
Mr. Kashav Chadha, Advocate and
Mr. Koshal, Advocate
for the petitioner in CRM-M-18141-2025.

Mr. Sahil Chaudhary, Asstt. A.G., Punjab.

JASJIT SINGH BEDI, J.

This order shall dispose of four petitions bearing No.CRM-M-19092-2025 titled as Gurjant Singh @ Mota versus State of Punjab, CRM-M-16903-2025 titled as Ranjit Singh @ Rana Versus State of Punjab, CRM-M-9978-2025 titled as Sawinder Singh alias Akash and CRM-M-18141-2025 titled as Joban Singh @ Joban Versus State of Punjab as the same are arising out of the same FIR. However, for the sake of convenience the facts have been taken from CRM-M-19092-2025.

2. The prayer in the present petitions under Section 483 BNSS, 2023 is for the grant of regular bail in case bearing FIR No.202 dated 03.11.2024 registered under Sections 21, 23, 27-A, 29 of NDPS Act at Police Station Chheharta, Amritsar.

3. The brief facts of the case are that the Investigating Agency received secret information that Ranjit Singh @ Rana (petitioner in CRM-M-16903-2025) was running the business of selling heroin and was in contact with Pakistan based drug smugglers. He was bringing heroin in connivance with his companions for sale. If he was arrested, recovery could be effected from him.

**CRM-M-19092-2025****-3-**

4. Based on the said information, Ranjit Singh @ Rana was apprehended with 210 grams of heroin along with Rs.4,65,000/- cash. He disclosed that he had come in contact with Amandeep Singh @ Aman (granted bail vide order dated 03.03.2025 Annexure P-3) who had got thrown heroin in his fields through a drone and the same had been handed over by him (Amandeep Singh @ Aman) to him (Ranjit Singh @ Rana) for further sale. Amandeep Singh @ Aman was arrested but no recovery was effected from him. Ranjit Singh @ Rana then named Sawinder Singh @ Akash (petitioner in CRM-M-9978-2025) but on his arrest, no recovery was effected from him. Sawinder Singh @ Akash, however, stated that he had purchased 200 grams of heroin from Ranjit Singh @ Rana and had sold the same to Gurjant Singh @ Mota (petitioner in CRM-M-19092-2025). He also stated that he was in the business of drug dealing along with Joban Singh @ Joban (petitioner in CRM-M-18141-2025). Gurjant Singh @ Mota was arrested and the recovery of 200 grams of heroin came to be effected from him along with Rs.10,000/-. Joban Singh @ Joban was arrested and 220 grams of heroin came to be recovered from him.

5. The learned counsel for petitioner-Sawinder Singh @ Akash contends that he has been named in the disclosure statement of his co-accused. Pursuant to his arrest, no recovery has been effected from him. The petitioner is a first time offender, in custody since 28.11.2024 but none of the 28 prosecution witnesses have been examined so far. Therefore, the trial of

**CRM-M-19092-2025****-4-**

the present is not likely to be concluded anytime soon. Thus, he is entitled to the concession of bail.

6. The learned counsels for the petitioners Ranjit Singh @ Rana, Joban Singh @ Joban and Gurjant Singh @ Mota state that only non-commercial quantity of heroin has been recovered from each of the accused, commercial quantity being more than 250 grams. They are first-time offenders, in custody since 03.11.2024, 02.12.2024 and 29.11.2024 respectively but none of the 28 prosecution witnesses have been examined so far. Therefore, the trial of the present case is not likely to be concluded anytime soon. Hence, they too are entitled to the concession of bail.

7. On the other hand, the learned State counsel contends that Gurjant Singh @ Mota, Ranjit Singh @ Rana and Joban Singh @ Joban were arrested and recovery of heroin has been effected from each of them though the said recovery is less than commercial quantity of 250 grams in each case. As regards Sawinder Singh alias Akash, he contends on his arrest, no recovery was effected from him. He further contends that all the accused persons were involved with cross-border drug smugglers and therefore, they were not entitled to the grant of bail. He, however, admits that Amandeep Singh @ Aman who had been named in the disclosure statement of Ranjit Singh @ Rana have been granted the concession of bail vide order dated 03.03.2025 (Annexure P-3).

8. I have heard the learned counsel for the parties.

**CRM-M-19092-2025****-5-**

9. As regards the case of Sawinder Singh @ Akash, it may be pertinent to mention here that he has been named in the disclosure statement of the arrested accused. Pursuant to his arrest, no recovery has been effected from him.

10. As regards the other accused namely, Ranjit Singh @ Rana, Joban Singh @ Joban and Gurjant Singh @ Mota, 210, 220 and 200 grams respectively of heroin has been recovered from each of the said accused. The said recovery in each is less than the commercial quantity of heroin which is 250 grams. Therefore, the applicability of Section 37 of the NDPS Act would be a moot point during the course of trial. Further, all the accused are first time offenders with no other case registered against them. They have been in custody since 03.11.2024, 28.11.2024, 29.11.2024 02.12.2024 respectively. None of the 28 of the prosecution witnesses have been examined so far and therefore, the trial of the present is not likely to be concluded anytime soon. In this situation, their further incarceration is not required.

11. Thus without commenting on the merits of the case, the present petitions are allowed and the petitioners are ordered to be released on bail subject to their furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

12. The petitioners shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that they are not involved in any other crime other than the present case.

**CRM-M-19092-2025****-6-**

13. In addition, the petitioners (or anyone on their behalf) shall prepare an FDR in the sum of Rs.1,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioners from trial without sufficient cause.

14. The petitions stand disposed of.

(JASJIT SINGH BEDI)
JUDGE

08.05.2025

JITESH

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