



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

CRM-M-24808-2025

Date of Decision: 07.05.2025

Sajan Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Simaranjeet Singh, Advocate for the petitioner.

Mr.Raj Karan Singh, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached this Court by way of present petition praying for granting regular bail in case FIR No.27 dated 12.02.2024 under Sections 21-C, 25, 29 of NDPS Act, 1985, registered at Police Station STF, SAS Nagar, Mohali.

2. Succinctly, facts of the case are that on 12.02.2024, the police party while on patrolling received a secret information to the effect that Prabhjit Singh @ Prabh and Sajan (petitioner) were involved in smuggling of heroin. It was informed that they were coming with huge quantity of heroin on motorcycle and in case of barricading, they could be arrested alongwith the contraband. On receiving the information, the raiding party was constituted and barricade was laid. The police party, thereafter, saw a motorcycle as disclosed, on which two persons were riding. They were stopped. On asking, the person driving the motorcycle disclosed his name as Prabhjit Singh @ Prabh and the person riding pillion disclosed his name as Sajan. They were suspected to be carrying some contraband and on conducting search of the motorcycle, 450 grams of heroin was recovered.



They failed to produce any licence regarding the possession of the same and thus, the FIR was registered and they were arrested on spot. Samples taken were then sent to the FSL. On registration of the FIR, the investigation commenced. On receiving the report from the FSL, the challan was presented. On framing of charges, the trial commenced. The petitioner approached the Court of learned Judge, Special Court, Amritsar praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 05.07.2024. Hence, the petitioner has approached this Court praying for grant of regular bail by way of filing the present petition.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail to the petitioner on the basis of parity with that of the co-accused, namely, Prabhjit Singh @ Prabh. He has drawn the attention of this Court to the order dated 29.04.2025 passed in **CRM-M-9944-2025**, whereby, co-accused Prabhjit Singh @ Prabh has been granted regular bail by this Court. He has submitted that the case of the petitioner is at par with the said co-accused. He submits that the petitioner is in custody since 12.02.2024. He submits that the petitioner has no criminal antecedents. He submits that on the basis of the parity, the petitioner deserves to be granted bail as the case of the petitioner is similar to that of the said co-accused, who has already been granted bail.

4. Learned State counsel has endorsed the factum of grant of bail to the co-accused of the petitioner as stated above and has not denied that the petitioner is at par with the co-accused, namely, Prabhjit Singh @ Prabh. He



has submitted that out of total 13 prosecution witnesses, 02 witnesses have been examined. He has placed on record the custody certificate of the petitioner.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since 12.02.2024 Co-accused, namely, Prabhjit Singh @ Prabh is on bail and the case of the petitioner as stated is at par with him. Out of total 13 prosecution witnesses, 02 witnesses have been examined. As per custody certificate, the petitioner has suffered incarceration of 01 year 02 months & 19 days as on 06.05.2025. It further reflects that the petitioner is not involved in any other case.

6. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner on the basis of parity. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

7. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

07.05.2025

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Whether Speaking/Reasoned :
Whether Reportable :

Yes/No
Yes/No