

CRM-M-27204-2025
CRM-M-38066-2025
CRM-M-49179-2025
CRM-M-59804-2025



216+224+231+248 (04 cases)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1. CRM-M-27204-2025

Jagroop Singh @ RajuPetitioner

versus

State of Punjab Respondent

2. CRM-M-38066-2025

Akashdeep Singh @ AkashPetitioner

versus

State of Punjab Respondent

3. CRM-M-49179-2025

Prabhjeet Singh @ BhanaPetitioner

versus

State of Punjab Respondent

4. CRM-M-59804-2025

Mangal Singh @ MithuPetitioner

versus

State of Punjab Respondent

Date of decision : 04.12.2025



CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. A.K. Agnihotri, Advocate for
Mr. Rajiv Kumar, Advocate for the petitioner
in CRM-M No.27204 of 2025.

Mr. Amardeep Singh, Advocate for the petitioner
in CRM-M No.38066 of 2025.

Mr. Harpal Singh Sidhu, Advocate
for the petitioner in CRM-M-49179-2025.

Ms. Rubi Khokhar, Advocate for
Mr. Malkiat S. Hundal, Advocate
for the petitioner in CRM-M-59804-2025.

Mr. Raj Karan Singh, A.A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. By way of this common order, this Court intend to dispose of abovesaid four petitions as they have arisen out of the same FIR.
2. Petitioners have approached this Court by way of present petitions praying for granting them regular bail in case FIR No.129 dated 29.06.2024, under Sections 21, 21(c), 25, 27-A & 29 of NDPS Act; Section 473 of IPC and Section 25 of Arms Act, registered at Police Station Kamboj, District Amritsar (Rural).
3. Succinctly, the facts of the present case are that the police party, while on patrolling on 29.06.2024, received a secret information to the effect that Juvraj Singh @ Bal is involved in selling of the illegal arms and smuggling of *chitta*. It was informed that 4-5 boys had come with him in 02 vehicles along with weapons and contraband. If the barricading is laid, they could be arrested along with the contraband. On receiving the information, police party laid the barricading and 02 cars i.e. Maruti Brezza and Toyota Corolla were seen and were stopped. In the Brezza car, 03 persons were travelling and on asking, driver of the car disclosed his



name to be Yuvraj Singh, person sitting on the adjoining seat disclosed his name to be Jagroop Singh (petitioner in CRM-M-27204-2025) and the person sitting at the rear seat disclosed his name to be Prabhjeet Singh @ Bhana (petitioner in CRM-M-49179-2025), whereas in the Corolla car also, 03 persons were travelling and on asking driver of the car disclosed his name to be Ranjit Singh, person sitting on the adjoining seat disclosed his name to be Akashdeep Singh (petitioner in CRM-M-38066-2025) and the person sitting at the rear seat disclosed his name to be Mangal Singh @ Mithu (petitioner in CRM-M-59804-2025) . They were suspected to be carrying some contraband and thus, search of the cars were made. On conducting the search of Brezza car, three rifles of 12 bore were recovered and from the search of Corolla car, one plastic bag containing cash of Rs.4,75,850/- as drug money was recovered. They failed to produce any licence regarding possession of the same and thus, they were arrested on spot. On registration of FIR, investigation commenced. During investigation, Mangal Singh @ Mithu (petitioner in CRM-M-59804-2025) made a disclosure statement regarding 01 kg of heroin and 500 grams of dry ice, which were lying in the house of main accused i.e. Yuvraj Singh thus, the raid was conducted at the house of Yuvraj Singh and 01 kg of heroin and 500 grams of dry ice were recovered. Samples taken were sent to the FSL. On receipt of FSL report, challan was presented and on framing of charges, the trial commenced. The petitioners approached the Learned Judge, Special Court, Amritsar praying for grant of bail, however, finding no merit, their applications were declined after hearing both the sides by Learned Judge, Special Court, Amritsar vide orders dated 08.05.2025, 06.02.2025, 25.03.2025 and 06.09.2025 respectively.



Aggrieved by the same, petitioners are before this Court by way of filing of present petitions for grant of bail.

4. Learned counsel for the petitioners have vehemently contended that the petitioners have been falsely implicated in the present case. It is submitted that admittedly the case of the prosecution is based on the secret information, however, there is blatant violation of provisions of Section 42 of NDPS Act. It is submitted that the compliance of Section 50 of NDPS Act, was mandatory however, there is violation of the same as well. It is submitted that the recovery of the weapon has been planted upon the petitioners. It is submitted that the petitioners are behind bars since 29.06.2024, however, till date there is no material progress in the trial. To buttress their arguments, it is submitted that petitioners, Akashdeep Singh, Prabhjeet Singh and Mangal Singh have no criminal antecedents. Though-petitioner Jagroop Singh is involved in one more case under the NDPS Act, however, he is on bail in the same. It is thus submitted that in the facts and circumstances of the case, petitioners deserve to be granted bail.

5. Learned State counsel has opposed the submissions made by the counsel for the petitioners and submits that the petitioners were arrested on the spot. He submits that from the search of Brezza car, illegal weapon and 03 rifles of 12 bore were recovered. It is submitted that on the disclosure of petitioner-Mangal Singh, 01 kg of heroin and 500 grams dry ice were recovered from the house of Yuvraj Singh, which is a commercial quantity and thus, provisions of Section 37 of NDPS Act are attracted and hence, the petitioners do not deserve the concession of bail. He, on instructions, has submitted that out of total 18 prosecution witnesses only



01 witness has been examined. He has produced the custody certificates of the petitioners on record.

6. On hearing counsel for the parties and perusing the record, it is deciphered that the case of the prosecution is based on the secret information. Petitioners were arrested on 29.06.2024. From the cars, they were travelling, 03 rifles of 12 bore and drug money of Rs.4,75,850/- were recovered and recovery of 1 kg heroin and 500 grams of ice were recovered on the disclosure statement of Mangal Singh @ Mithu from the house of Yuvraj. Out of 18 prosecution witnesses, only 01 witness has been examined. As per custody certificates, petitioners suffered an incarceration of 01 year, 04 months and 29 days as on 03.12.2025. It further reflects that the petitioners have no criminal antecedents, except petitioner-Jagroop Singh @ Raju who is involved in 02 more cases, out of which one is under the NDPS Act, however, he is on bail in those cases.

7. In view of the facts and circumstances of the present case, this Court cannot ignore the fact that the speedy trial is the fundamental right of every accused. As held by the Hon'ble Supreme Court in **Mohd Muslim @ Hussain Vs. State (NCT of Delhi), 2023 LiveLaw(SC)260**, this Court is of the opinion that the case of the petitioner is covered by the ratio of law laid down by the Hon'ble Supreme Court. In the abovesaid case Hon'ble Supreme Court expressed its views as under:-

19. A plain and literal interpretation of the conditions under Section 37 (i.e., that Court should be satisfied that the accused is not guilty and would not commit any offence) would effectively exclude grant of bail altogether, resulting in punitive detention and unsanctioned preventive detention as well. Therefore, the only manner in which such special



conditions as enacted under Section 37 can be considered within constitutional parameters is where the court is reasonably satisfied on a prima facie look at the material on record (whenever the bail application is made) that the accused is not guilty. Any other interpretation, would result in complete denial of the bail to a person accused of offences such as those enacted under Section 37 of the NDPS Act.

20. xxxxx

21.it would be important to reflect that laws which impose stringent conditions for grant of bail, may be necessary in public interest; yet, if trials are not concluded in time, the injustice wrecked on the individual is immeasurable.

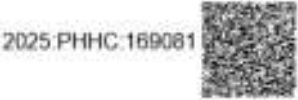
22. xxxxx

23. *There is a further danger of the prisoner turning to crime, “as crime not only turns admirable, but the more professional the crime, more honour is paid to the criminal”²² (also see Donald Clemmer’s ‘The Prison Community’ published in 1940²³). Incarceration has further deleterious effects - where the accused belongs to the weakest economic strata: immediate loss of livelihood, and in several cases, scattering of families as well as loss of family bonds and alienation from society. The courts therefore, have to be sensitive to these aspects (because in the event of an acquittal, the loss to the accused is irreparable), and ensure that trials – especially in cases, where special laws enact stringent provisions, are taken up and concluded speedily.*

8. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

9. This Court would refrain itself from commenting anything on the merits of the case. Thus, keeping in view the overall facts and

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circumstances of the case, this Court is of the opinion that learned counsel for the petitioners succeed in making out a case for grant of regular bail. Accordingly, all the petitions are allowed. Petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

04.12.2025
ps-I

(RAJESH BHARDWAJ)
JUDGE

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