



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

234+247+311

1) CRM-M-28342-2025
Decided on : 12.11.2025

Lovejit Singh . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)

2) CRM-M-38098-2025

Baljinder Singh @ Bobby . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)

3) CRM-M-60010-2025

Mangh Singh . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)

4) CRM-M-18774-2025

Shampy alias Shampi . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Vipul Jindal, Advocate
for the petitioner(s) (in CRM-M-28342-2025).

Mr. Ruhani Chadha, Advocate
for the petitioner(s) (in CRM-M-38098-2025).

Mr. Keshav Pratap Singh, Advocate and
Mr. Bharat Singh, Advocate
for the petitioner(s) (in CRM-M-60010-2025).

Mr. Karandeep Singh Sidhu, Advocate
for the petitioner(s) (in CRM-M-18774-2025).

Mr. Bareen Pratap Singh, AAG, Punjab and

Mr. Iqbalpreet Singh, AAG, Punjab.
assisted by Inspector Kuldeep Singh.

SANJAY VASHISTH, J. (Oral)

1. This order shall dispose of CRM-M-28342-2025, CRM-M-38098-2025, CRM-M-60010-2025 and CRM-M-18774-2025, as all the petitions are interconnected and have arisen out of same FIR. However, the lead case is CRM-M-28342-2025.
2. The instant petitions have been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioners, during the pendency of trial, who have been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Lovejit Singh (petitioner in CRM-M-28342-2025)	78	17.09.2024	21/29 of NDPS Act, 1985	Lakho Ke Behram	Firozpur
Baljinder Singh @ Bobby (petitioner in CRM-M-38098-2025)					
Mangh Singh (petitioner in CRM-M-60010-2025)					
Shampy alias Shampi (petitioner in CRM-M-18774-2025)					

3. As per allegations, on 17.09.2024, police team received a secret information to the effect that accused (i) Lovejit Singh, (ii) Baljinder Singh @ Bobby, and (iii) Mangh Singh, are doing the business of selling heroin together and even now, all of three are together in one black coloured Verna car bearing registration No. PB46-AG-9347 and if a nakka is installed, all of them can be apprehended with heavy quantity of the narcotic contraband. Thereupon, without effecting any actual recovery FIR was registered and as

projected by the prosecution, police team proceeded for installing the nakka bandi at the disclosed place. When the aforesaid car was noticed, all of three above were stopped and then apprehended, and therefore, on making search of the car 502 grams of heroin was recovered from the dashboard of the aforesaid car. Said car was found registered in the name of one Jasbir Singh, who is father of petitioner – Baljinder Singh @ Bobby (in CRM-M-38098-2025).

4. At the time of recovery on 17.09.2024, petitioner – Lovejit Singh (in CRM-M-28342-2025) was driving the car, whereas, petitioner – Baljinder Singh @ Bobby (in CRM-M-38098-2025) was occupying the co-driver seat and petitioner Mangh Singh (in CRM-M-60010-2025) was occupying the rear seat in the car.

Further, the case developed by the prosecution is that after being arrested, petitioner – Lovejit Singh disclosed the name of other accused, i.e., Simranjeet Singh, alleging therein that the recovered contraband was in fact, delivered by the said accused to the now apprehended accused.

At this stage, it is noticed that co-accused Simranjeet Singh has already been granted concession of anticipatory bail vide order dated 30th January, 2025, passed in CRM-M-62764-2024 (O&M), titled as, “*Simranjeet Singh v. State of Punjab*” (appended as Annexure P-2 in CRM-M-18774-2025).

5. From the disclosure statement of accused/petitioner – Lovejit Singh, one more accused, i.e., Shampy alias Shampi was involved in the case (petitioner in CRM-M-18774-2025) with the allegation that some of the contraband had been delivered to the said accused, however, on being arrested, nothing was recovered from the possession of accused/petitioner –

Shampy alias Shampi.

ARGUMENTS ADVANCED BY LEARNED COUNSEL FOR THE PETITIONERS:-

6. Learned counsel while addressing submissions on behalf of the **petitioner – Lovejit Singh**, submits that he was completely unaware about the contraband lying inside the dashboard of the car, because, vehicle was not belonging to him. Therefore, the issue that required to be adjudicated by the trial Court, would be whether, petitioner – Lovejit Singh was having any conscious possession of the contraband, which was already lying inside the dashboard of the car.

7. Similar submission is addressed by the **petitioner – Mangh Singh** also, that there cannot be any knowledge to him about the recovered contraband because he was occupying the rear seat, completely unaware of the fact that any such thing may be lying inside the car.

Secondly, recovered heroin from the dashboard of the car could not be noticed in normal course unless, the person, who has put it inside the dashboard has opened it by bringing it to the notice of others. Otherwise also, while sitting on the rear seat, he had no direct access to the dashboard of the car. Thus, prays for granting the concession of regular bail to the petitioner.

8. Learned counsel for the **petitioner – Baljinder Singh @ Bobby** submits that he had no knowledge about the contraband lying inside the dashboard of the car, because car was under the control of its driver, i.e., petitioner – Lovejit Singh. Therefore, merely for the reason that car was found registered in the name of his father, cannot be a ground to assume that he was having conscious possession of the contraband.

9. Learned counsel for the **petitioner – Shampy alias Shamp** argues that nothing has been recovered from the possession of the petitioner. Moreover, he has been made accused only on the basis of disclosure statement of co-accused/petitioner – Lovejit Singh, whereas, similarly situated other co-accused, i.e., Simranjeet Singh has already been released on bail. Therefore, he claims his entitlement on the principle of parity also.

ARGUMENTS ADVANCED BY LEARNED STATE COUNSEL:-

10. On the other hand, learned State counsel has filed the separate custody certificates dated 11.11.2025 *qua* all the petitioners and also status report dated 11.11.2025 *qua* petitioner – Mangh Singh, in Court today. Same are taken on record. Office to tag the same at appropriate place.

Copies thereof have been handed over to the counsel for the petitioners.

11. Learned State counsel while opposing the prayer for bails, submits that petitioner – Lovejit Singh is involved in one more case under the NDPS Act, therefore, he cannot claim concession of bail in the present case.

Responding over it, learned counsel for the petitioner argues that recovered contraband in the said case, is non-commercial in nature, and petitioner – Lovejit Singh has already been released on bail in the said case. He is not a proved convict under the NDPS Act, therefore, objection raised by learned State counsel is not tenable and cannot be considered as a ground to reject the plea of bail *qua* petitioner – Lovejit Singh.

12. At this stage, learned counsel for the petitioner argues that when the petitioner – Baljinder Singh @ Bobby was inside jail in the present case, in two other cases, he has been named as an accused by concocting the version and to defeat the plea of bail of the petitioner. In both the other two

cases, no contraband was ever recovered from the possession of the petitioner and his involvement is thus based upon the disclosure statement of the co-accused in the said two cases.

13. In regard to the accused/petitioner – Mangh Singh, it is pointed out by his counsel that he is involved in two other cases under the NDPS Act, however, in one case recovery was effected and in another case, his involvement is only on the basis of disclosure statement and nothing has been recovered from his possession.

14. Petitioner – Shampy alias Shampi's involvement has also been pointed out in two other cases under the NDPS Act, however, it is not denied that similarly situated co-accused Simranjeeet Singh has already been granted concession of bail in the present case.

15. I have heard learned counsel for the parties and perused the relevant material available on record with their able assistance.

16. Having considered the submissions advanced by learned counsel for the respective parties and after perusal of the record, this Court observes that the alleged recovery of **502 grams of heroin** was effected from the **dashboard of the car**, which was jointly occupied by the three of the petitioners at the relevant time. Since recovery is from a hidden compartment, it could not be visible or within the knowledge of every occupant sitting in the car. Therefore, the question as to **whether any of the accused, or all of them collectively, were in conscious possession** of the contraband, would be a **moot issue** to be determined by the trial Court during the course of evidence. The investigation stands concluded, and the challan has already been presented.

17. All the three petitioners, namely **Lovejit Singh, Baljinder Singh**

@ Bobby, and Mangh Singh, have suffered **incarcerated inside jail since 17.09.2024**, i.e., for the period of more than **one year and one month**. Out of the total **18 prosecution witnesses**, only **one witness** has been examined till date, and even his appearance was secured by Court after issuing the **bailable warrants** on multiple occasions, which clearly reflects the **slow pace of trial**. There is no certainty that the proceedings would conclude speedily in the near future. As regards the fourth petitioner, **Shampy @ Shampi**, he has been **implicated solely on the basis of the disclosure statement** of a co-accused, with **no recovery effected from his possession**, whereas a **similarly situated co-accused, Simranjeet Singh**, has already been granted the **concession of anticipatory bail** by this Court.

Considering the **custody period**, the **pending stage of trial**, the **limited role attributed to each of the petitioner**, and other relevant factors, this Court finds it appropriate to extend them an opportunity to **reform and rehabilitate themselves in society** rather than keeping them behind bars for an indefinite period during trial. Accordingly, without commenting upon the merits of the case, this Court deems it fit to grant the **concession of regular bail** to all the petitioners.

Consequently, prayer made in the present petitions are **allowed**. Petitioners are ordered to be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

18. Needless to observe that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

19. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

20. It is further made clear that if, in future, petitioners are directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

Petitions stand disposed of.

Pending misc. application(s), if any, also stand disposed of.

Photocopy of this order be placed on the files of other connected cases.

**(SANJAY VASHISTH)
JUDGE**

November 12, 2025

J.Ram

Whether speaking/reasoned: ☒ Yes/~~No~~

Whether Reportable: ☒ Yes/~~No~~