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**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CRM-M-34989-2025 (O&M)
Reserved on : 09.10.2025
Pronounced on : 16.10.2025

Sandeep Singh @ Pammu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Karanjeet Singh Brar, Advocate
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

MANISHA BATRA, J.

1. The instant one is the second petition that has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to him in FIR No. 0121 dated 19.07.2024, registered under Sections 21(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'Act'*) Police Station Canal Colony Bathinda, District Bathinda. The previous petition, bearing CRM-M-3941-2025, was dismissed on 19.03.2025.
2. The petitioner has been booked in the aforesaid FIR on the basis of the disclosure statement suffered by co-accused Tarsem Singh @ Soma, who along with Karanpreet Singh @ Raman was apprehended by a police party on 19.07.2024 and from whom, recovery of 01 kg. 05 grams of heroin was effected. The allegations against the petitioner are that he along with some other co-accused was the supplier of the recovered contraband. The petitioner was

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arrested and is in custody since 21.11.2024.

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. The implication of the petitioner in this case is solely based on the disclosure statement suffered by above named co-accused, which cannot be considered to be admissible against him. No subsequent recovery had been effected from him. He has clean antecedents and is not involved in any other case. The petitioner is in prolonged incarceration. The trial is at its initial stage and its conclusion will take considerable time. These facts amount to substantial change in the circumstances, thereby entitling the petitioner to get benefit of bail. It is, therefore, urged that the petition deserves to be allowed.

4. Status report has been filed by the respondent-State. Learned Assistant Advocate General, Punjab has argued that keeping in view the gravity of the allegations levelled against the petitioner, he is not entitled to get benefit of bail. Hence, it is urged that the petition is liable to be dismissed.

5. This Court has heard the rival submissions.

6. The petitioner is in custody since 21.11.2024. He is not shown to be involved in any other case and has clean antecedents. Even no subsequent recovery is shown to have been effected from him. Investigation has since been completed and challan has been filed. A perusal of the status report shows that the trial is at initial stage. Hence, conclusion of the same would certainly take considerable time, especially in view of the fact that some of the co-accused are still on run. The case of the prosecution is that the name of the petitioner was disclosed by the above named co-accused as supplier of the recovered

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contraband. In *Tofan Singh Vs. State of Tamil Nadu, (2021) 4 SCC 1*, it was observed by Hon'ble Apex Court that the disclosure statements made under Section 67 of Act, are inadmissible in evidence unless corroborated by independent material. While the veracity of the disclosure statement against the petitioner will be tested during the course of trial, however, at this stage, it cannot be ignored that no recovery was ever effected from the petitioner. The object of jail is to secure the appearance of the accused during the trial and it can neither be punitive nor preventive and the deprivation of liberty has been considered as a punishment. As per the discussion made above, this Court is of the considered opinion that a case for release of the petitioner is made out. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned and on the following conditions:-

- (i) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case in any manner whatsoever.
- (ii) he shall not leave the country under any circumstance without permission of the learned trial Court.
- (iii) he shall appear before the learned trial Court as and when directed.
- (iv) he shall provide his address where he would be residing after release and shall not change the same without informing the concerned IO/SHO.
- (v) the petitioner shall upon his release give his mobile phone number to concerned IO/SHO and shall keep his

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mobile phone switched on all times.

7. In the event of there being any FIR/complaint lodged against the petitioner, it shall be open to the respondent to seek redressal by filing an application seeking cancellation of bail.
8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and shall not influence the outcome of the trial.

16.10.2025
Waseem Ansari

(MANISHA BATRA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>