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

CRM-M-38748-2025 (O&M)

Reserved on : 18.08.2025

Pronounced on : 21.08.2025

Jugraj Singh @ Joga

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Ruhani Chadha, Advocate
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

MANISHA BATRA, J.

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in case bearing FIR No. 181 dated 14.08.2024, registered under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short* 'NDPS Act') [Sections 15, 18 and 29 of the NDPS Act added later on] at Police Station Sadar Jalandhar, District Jalandhar.

2. Brief facts of the case relevant for the disposal of the present petition are that on 14.08.2024, co-accused Manjit Singh @ Mani was apprehended by a police party headed by SI Jaswinder Singh and recovery of 01 kg. 25 grams of heroin was effected from him. He was formally arrested at the spot. Upon interrogation, he disclosed that the recovered contraband was brought by him from Inderjit Singh @ Labhu and Jugraj Singh, who were involved in selling opium, poppy husk and heroin. They were nominated in this case as accused on 15.08.2024. On 16.08.2024, the

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petitioner was arrested. He disclosed that he along with co-accused Inderjit Singh @ Labhu was indulged in selling heroin and other contrabands. Thereafter, on 17.08.2024, at the instance of the petitioner, recovery of 05 kgs. 58 grams of opium was effected. Several other persons were also nominated and arrested in this case. After completion of necessary investigation and usual formalities, *challan* under Section 173 of Cr.P.C. was presented in the Court and presently, the petitioner along with the co-accused is facing trial for commission of aforementioned offences.

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. He was neither named in the FIR nor was found at the spot. He has been nominated in this case on the basis of the disclosure statement suffered by above named co-accused, which is not admissible in evidence. The petitioner has in fact been made scapegoat of a movement initiated against drugs peddling in the State. His false implication and plantation of false recovery upon him is apparent from the fact that he was in fact picked up by the police on 13.08.2024 from Himachal Pradesh when he was on a religious trip with his family. Photographs of the same are also placed on record. Not only the petitioner but his wife and minor child were also picked up by the police, though they were subsequently released but the petitioner was falsely implicated in this case. This plea finds strength from the fact that when the petitioner was picked up on 13.08.2024, apprehending that he might be falsely involved in some criminal case, his mother Joginder Kaur has forwarded an email to the higher police official through a counsel on the same day at 04:02 PM raising her grievances but no action was taken. Thereafter, she had approached this Court by way of filing

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a criminal writ petition bearing number **CRWP-7972-2024**. Vide order dated 21.08.2024, the said petition was disposed of by noticing the fact that the petitioner was picked up by the police on 13.08.2024 and has been implicated in a case. However, the prosecution has shown his arrest effected as on 16.08.2024, which on the face of record is false as the petitioner was evidently picked up on 13.08.2024. Even otherwise, investigation stands completed and *challan* has been filed. Conclusion of trial is likely to take time as no prosecution witness has been examined so far. The petitioner is in custody since 16.08.2024. No useful purpose would be served by keeping her in custody anymore. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail. Learned counsel for the petitioner has relied upon the judgments dated 12.12.2023 and 05.03.2024 rendered by the co-ordinate Benches of this Court in **CRM-M-45328-2022** and **CRM-M-41211 & 45222-2023**, respectively, whereby the accused persons had been granted concession of regular bail in similar circumstances while observing that the possibility of false implication cannot be ruled out.

4. Status report has been filed by the respondent-State. Learned State counsel has argued that keeping in view the gravity of the allegations levelled against the petitioner as well as his criminal antecedents, he is not entitled to get benefit of bail. It is, thus, argued that the petition is liable to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

6. The petitioner has been nominated in this case on the basis of

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the disclosure made by above named co-accused. The allegations against the petitioner are that he along with co-accused was indulged in selling contraband. Recovery of 05 kgs. 58 grams of opium was shown to have been effected from him. The main thrust of the contentions raised by learned counsel for the petitioner is that he has been falsely implicated in this case and a false recovery has been planted upon him. It is also argued that in fact he was illegally detained by the police on 13.08.2024 when he was away to Himachal Pradesh on a religious trip and was falsely implicated in this case. To prove so, he has placed on record some documents showing that a writ for habeas corpus had been filed by his mother on 14.08.2024. However, on a perusal of Annexure P-7, which is a copy of order dated 21.08.2024 passed in the said petition, it is revealed that though a Warrant Officer had been appointed on 14.08.2024 but counsel for his mother had asked the Warrant Officer to conduct raid only on receiving information from him. Then, on 16.08.2024, her counsel had informed that the petitioner (mother of the petitioner) was no longer willing to get any raid conducted. From these proceedings, no inference can be drawn at this stage that the petitioner had been illegally detained or falsely implicated in this case. That apart, the petitioner has also placed on record a compact disc containing some vide footages. The same has been watched by this Court and it is found that no date whatsoever has been mentioned therein to confirm the contention as raised by learned counsel for the petitioner. As such, no reliance can be placed on the same also. Keeping in view the gravity of allegations as levelled against the petitioner, the quantity of alleged contraband recovered from him, the quantum of sentence which the conviction may entail and the

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attendant facts and circumstances of the case, this Court is of the considered opinion that he does not deserve to be granted concession of regular bail, at this stage. Accordingly, the present petition is dismissed.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

21.08.2025
Wasem Ansari

(MANISHA BATRA)
JUDGE

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