



CRM-M-41427-2025 and other connected cases

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41427-2025

Mohit Sharma alias Makhan
.....Petitioner

Versus

State of Punjab
.....Respondent

CRM-M-47242-2025

Whisky Singh alias Biski
.....Petitioner

Versus

State of Punjab
.....Respondent

CRM-M-64153-2025

Pardeep Singh alias Mani
.....Petitioner

Versus

State of Punjab
.....Respondent

CRM-M-66925-2025

Vishal Singh alias Harman
.....Petitioner

Versus

State of Punjab
.....Respondent

Decided on: 12.12.2025



CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Rajdeep Singh Gill, Advocate and
Mr. Yogesh, (Legal Aid Counsel)
for the petitioner(s) (in CRM-M-41427-2025)

Mr. Rajesh Dhiman, Advocate
for the petitioner(s) (in CRM-M-47242-2025).

Mr. Shoryaveer Vashist, Legal Aid Counsel
for the petitioner(in CRM-M-64153-2025)

Mr. K.S. Sidhu, Advocate
For the petitioner (in CRM-M-66925-2025)

Mr. Vinay Malhotra, DAG, Punjab.

SANJAY VASHISTH, J. (ORAL)

1. By way of this common order, all the above-mentioned petitions are being decided together as they arise out of the same FIR and common allegations.

DETAILS OF PETITIONS

Sr. No.	Petition No.	Petitioner(s)	Nature of Petition
1	CRM-M-41427-2025	Mohit Sharma alias Makhan	Regular Bail
2	CRM-M-47242-2025	Whisky Singh alias Bisky	Regular Bail
3	CRM-M-64153-2025	Padeep Singh alias Mani	Regular Bail
4	CRM-M-66925-2025	Vishal Singh alias Harman	Regular Bail

2. All the aforesaid petitions arise from **FIR No. 90 dated 07.03.2025**, registered at Police Station City Barnal, District Barnala, under Sections 22 and 29 of the NDPS Act.

3. As per case of the prosecution, a secret information was received regarding the presence of total four accused namely (i) Mohit Sharma @ Makhan, (ii) Whisky Singh @ Biski, (iii) Rekha and (iv) Mindo, near drain-bridge, Patti Road, Barnala, where they are planning to sell narcotic pills in large quantity.



Further, it was informed that if the raid was conducted, all of them can be arrested together.

4. When the raid was conducted, all the four accused were found present near drain-bridge towards main Barnala-Bajakhana Road, and beside them, one Polythene bag containing 94 strips (940 tablets) of CALMPIK-0.5 (Alprazolam) was recovered. When all the accused present there were arrested, from possession of accused Mohit Sharma @ Makhan, two strips (20 tablets), from Whisky Singh @ Bisky two strips (20 tablets), accused Rekha one strip (10 tablets), and Mindo one strip (10 tablets) were separately recovered. Thus, apart the strips with the four of the accused, a polythene bag containing 940 tablets was also found lying near to them, therefore, all of them have been involved in the case for having in their conscious possession total 1000 tablets of CALMPIK - 0.5 (Alprazolam tablets).

5. One common status report dated 11.12.2025 has been filed before the Court, wherein it has been detailed that on the next day i.e. 08.03.2025, as per disclosure statement of accused Mohit Sharma @ Makhan and Whisky @ Bisky, two more accused were found involved in the case, namely Vishal Singh @ Harman and Gurpreet Singh. Even on information given by one person Rajesh son of Puran Chand resident of Barnala, two more accused were involved in the case namely Pardeep Singh @ Mani and Mangal Singh.

As per information supplied by said Rajesh Kumar, both the accused used to buy the narcotic pills from accused Mindo. However, there are total eight accused involved in the case i.e. four named in the FIR and rest of the four have been involved through co-accused's disclosure statement/information. It is admitted also case by the prosecution that after effecting arrest of the initially



named accused in the FIR, no narcotic drug or narcotic contraband was ever recovered from the possession of any of the accused, whosoever was arrested during investigation. Thus, counsel argues that at best, Mohit Sharma alias Makhan can be alleged to be having total 20 tablets containing the salt of Alprazolam 2.50 grams, Whisky Singh @ Bisky two strips (20 tablets) containing the salt of Alprazolam 2.50 grams, accused Rekha one strip (10 tablets) containing the salt of Alprazolam 1.25 grams, and Mindo one strip (10 tablets) containing the salt of Alprazolam 1.25 grams.

However, it is a common argument of all the respective counsels that 940 tablets, which as per allegations was lying in a polythene where the accused were present, the petitioners can not be made liable for the same in the absence of any prior knowledge, in furtherance to further substantiate the allegation of conscious possession of the recovered tablets. Thus, counsels pray for grant of bail.

6. On the other hand, learned State counsel, while opposing the prayer for bail, submits that huge quantity of narcotic pills has been recovered from the petitioner(s), however, he does not deny that from petitioner Vishal Singh @ Harman and Pardeep Singh @ Mani, nothing could be recovered from their possession. Further, learned State counsel does not dispute that the onus is heavily upon the prosecution to prove that all the accused were having conscious possession of 940 tablets, lying there, while they were present on spot. Thus, prays for dismissal of the all bail petitions.

7. I have carefully considered the submissions addressed by the respective counsel by noticing that as far as prayer for bail qua Vishal Singh @ Harman and Pardeep Singh @ Mani is concerned, there is no allegation of



effecting the recovery of any narcotic drug or narcotic contraband from any one of them. Both the accused have already suffered sufficient incarceration, remaining inside jail for the last about three months.

8. However, Vishal Singh @ Harman is involved in three other cases which are pending adjudication and in none of the case, he has been held guilty till date. Also, there is an argument, which would be appreciated at relevant stage is that petitioner-Vishal Singh @ Harman was already known to the members of the police party, therefore, once again he is involved in the present case as accused, that too on the basis of inadmissible evidence i.e. disclosure statement.

9. Accused- Pardeep Singh @ Mani is already inside jail for the last more than a period of eight months and never found involved in any other case, punishable under the NDPS Act. Similarly, as far as accused-Mohit Sharma @ Makhan is concerned, as of now there is recovery of 20 tablets from him and from Whisky Singh @ Bisky also there is a recovery of 20 tablets.

Regarding the other 940 tablets, charges are yet to be proved by the prosecution beyond doubt and of course that exercise is to be completed by leading evidence before the trial Court at relevant stage. Out of total, 12 prosecution witnesses, only 01 witness has been examined till now and 04 prosecution witnesses have been given up. Thus, 07 witnesses are yet to be examined.

10. Taking into consideration the role of Mohit Sharma @ Makhan there is no other case under NDPS Act, except the one case under the Excise Act, which is yet to be finalized and no other case is pending against Whisky Singh @ Bisky.

11. Accordingly, prayer made in the present petitions are allowed. Petitioners namely, Mohit Sharma alias Makhan, Whisky Singh alias Biski, Pardeep Singh alias Mani and Vishal alias Harman are ordered to be released on

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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.

12. Needless to observe that the petitioner(s) shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

13. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

14. All petitions stand disposed of.

15. A photocopy of this order be placed on the files of other connected cases.

12.12.2025
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(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*