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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

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CRM-M-46307-2025  
Decided on : 03.12.2025

VIJAY SINGH .....Petitioner  
Versus  
STATE OF PUNJAB .....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sanjeev Sharma, Advocate,  
for the petitioner.  
  
Mr. Sukhbeer Singh, DAG, Punjab.

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SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

| Name of Petitioner(s) | FIR No. | Date       | Section(s)                                                    | Police Station | District  |
|-----------------------|---------|------------|---------------------------------------------------------------|----------------|-----------|
| Vijay Singh           | 71      | 09.05.2025 | 21, 27-A, 29 of NDPS Act read with section 25 of the Arms Act | Division No.1  | Jalandhar |

2. Learned counsel for the petitioner contends that, as per the case of prosecution, accused Ajay Kumar was first apprehended on 09.05.2025 with 50 grams of heroin. On the basis of his disclosure statement, name of co-accused Karan surfaced as supplier of the said contraband. During interrogation, Karan made another disclosure



implicating Gurpreet Singh @ Monty, who, upon arrest, was allegedly found in possession of 301 grams of heroin, one pistol, two magazines, eight live cartridges and Rs.50,000 drug money. Subsequent investigation led to another disclosure by Gurpreet Singh @ Monty, naming the present petitioner; however, upon the petitioner's arrest on 06.06.2025, no recovery whatsoever was effected from him.

Instead, yet another disclosure statement of the petitioner was recorded, resulting in the arrest of co-accused Harshjot Singh, from whose possession 10 grams of heroin was allegedly recovered.

3. Counsel for the petitioner submits that both Gurpreet Singh @ Monty and petitioner are stated to have disclosed that they jointly procured 500 grams of heroin for supply, but there is no independent recovery from the petitioner, and the case against him rests solely on disclosure statements, which are inadmissible in evidence as per settled law and cannot form the basis of conviction.

4. It is further contended that the co-accused allegedly named by the petitioner, namely Harshjot Singh, has already been granted regular bail by this Court, vide order dated 10.11.2025 in CRM-M-41728-2025, and similarly, co-accused Gurpreet Singh @ Monty, who named the petitioner, has also been granted bail by the Court of learned Special Judge, Jalandhar, on 14.11.2025.

Copies of both the bail orders have been produced before the Court and the same are taken on record.

Therefore, counsel prays that petitioner also be granted the concession of regular bail in the present case.



5. In response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 02.12.2025 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 05 months and 21 days period inside jail.

6. Learned State counsel, while opposing the prayer for bail, submits that the present case involves the recovery of narcotic contraband, and keeping in view the gravity of the offence, petitioner does not deserve the concession of bail, at this stage. However, he does not dispute that investigation stands concluded and *challan* has already been presented before learned trial Court.

7. This Court has heard learned counsel for the parties and perused the material available on record.

8. It is undisputed that petitioner has been in custody for a period of 5 months and 21 days, and his implication rests primarily on the disclosure statement of a co-accused. The evidentiary value of such a disclosure, standing alone, is a matter to be assessed during the trial.

This Court is also mindful that petitioner's incarceration ought not to be unnecessarily prolonged, particularly when the investigation has already been completed and trial is likely to take considerable time to conclude.



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9. Therefore, in view of the totality of the circumstances, and without commenting on the merits of the case, this Court considers it appropriate to extend the concession of regular bail to the petitioner.

Accordingly, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his 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.

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

11. 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.

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

13. Petition stands disposed of.

(SANJAY VASHISTH)  
JUDGE

03.12.2025

Lavisha

Whether Speaking/Reasoned: **YES/NO**  
Whether Reportable: **YES/NO**