



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105

Date of decision: 10.12.2025

CRM-M-52192-2024

SURINDER SINGHPetitioner

VERSUS

STATE OF PUNJABRespondents

CRM-M-3906-2025

RATTANBIR SINGHPetitioner

VERSUS

STATE OF PUNJABRespondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. G.S. Kaura, Advocate with
Mr. Rangat Joshi, Advocate,
Mr. Amanpreet Singh Dhiman, Advocate,
Ms. Shubh Karman Kaur Kaura, Advocate and
Ms. Kamaldeep Kaur, Advocate
for the petitioner(s) in both petitions.

Mr. Saurav Verma, Addl. A.G. Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The above-mentioned two petitions arising from the same FIR and having been filed by different accused seeking grant of regular bail, are being decided by a common order.

2. The instant petitions have been filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail in case bearing FIR No. 30 dated 04.10.2022, registered under Section(s) 25, 54, 59 of the Arms Act, 42, 52-A Prisons Act and Section 21, 25, 27-A, 29-61-85 of the NDPS Act at Police Station SSCO (State Special Operation Cell), Amritsar.

3. Briefly summarised, the material facts emerging from the record are that Inspector Inderdeep Singh, posted with the Counter Intelligence, Amritsar, State Special Operations Cell (SSOC), Amritsar, was entrusted with the investigation of FIR No. 25 dated 24.08.2022 registered under Sections 21, 25, and 29 of the NDPS Act at Police Station SSOC, Amritsar. During the course of the said investigation, one Jaskaran Singh, son of Sahib Singh, was arrested. While in police custody and during his interrogation in the presence of Balbir Singh, PPS/BSP/CI/ASR, Jaskaran Singh is stated to have made a confessional statement. According to the prosecution, Jaskaran Singh disclosed that he had been lodged in Faridkot Jail from May 2018 to May 2022, where he developed close acquaintance with one Paramjit Singh @ Pamma, a resident of Jalandhar, who was also incarcerated in connection with an NDPS case. He stated that Paramjit Singh @ Pamma had access to a mobile phone inside the jail and had, on that account, established contact with Pakistani smugglers. Jaskaran Singh further stated that he too used the said mobile phone to communicate with

his family members and, through Paramjit Singh @ Pamma, came into contact with Pakistani smugglers. After some time, Paramjit Singh @ Pamma was released on bail and subsequently became a proclaimed offender, resulting in loss of contact with the Pakistani handlers. Jaskaran Singh, on being granted bail, was transferred to Goindwal Jail, where he procured another mobile phone and re-established communication with the same Pakistani smugglers. They informed him of their plan to smuggle contraband weapons through drones and instructed him to identify suitable locations near Machike, Mehndipur, and the Khemkaran border. Jaskaran Singh is stated to have received these locations from his co-accused, Rattanbir Singh and passed them on to the Pakistani smugglers. The smugglers reportedly confirmed the viability of the suggested sites and communicated that weapons would thereafter be dispatched by drone. As per the statement, Rattanbir Singh would retrieve the weapons once they were dropped, conceal them and inform Jaskaran Singh of the exact hiding places, which were then forwarded to the Pakistani handlers. As per the case of the prosecution, such deliveries took place on approximately 16–17 occasions. After each delivery, payment was deposited at designated locations by associates of the Pakistani smugglers, photographs of which were sent to Rattanbir Singh, who would then collect the money and distribute it among the accused persons. Jaskaran Singh also narrated a specific instance dated 28/29.09.2024, when five pistols were dropped by drone in the area of Mehndipur Sector, Khemkaran and were thereafter taken and concealed by Rattanbir Singh at Tarn Taran–Ferozepur Road. Before the location could be further transmitted to the Pakistani smugglers, a raid was conducted inside

the jail, resulting in the recovery of a broken mobile phone from Jaskaran Singh, thereby disrupting further communication.

4. Learned counsel appearing on behalf of the petitioner(s) submits that the petitioner(s) have been falsely implicated in the present case without any substantive material connecting them to the alleged offences. Counsel contend that their nomination rests exclusively on the disclosure statements of co-accused Jaskaran Singh, son of Sahib Singh and that petitioner-Rattanbir Singh has been arraigned as an accused only pursuant to the third disclosure statement of the said co-accused, whereas petitioner-Surinder Singh has been implicated solely on account of his relationship with Jaskaran Singh, who too remains in police custody.

He contends that the case was initially registered only for offences under the Arms Act, however, eventually, the respondents also attributed recovery of drugs and drug money to the petitioner(s). It is contended that the petitioner(s) have already undergone an actual custody of more than three years in the present case and only 01 witness has been examined out of total 26 witnesses cited by the prosecution. It is also contended that the conclusion of trial is likely to take a long time. The petitioner(s) have already suffered a prolonged incarceration without the trial having meaningfully progressed.

5. Learned State Counsel on the other hand has drawn attention of this Court to the reply filed by way of affidavit of Balbir Singh, PPS, Deputy Superintendent of Police, Counter Intelligence, Amritsar. The relevant extract thereof reads thus:-

“3. That it is submitted that the facts of aforesaid case FIR No. 30 dated 04.10.2022 (supra) are that the

*accused Jaskaran Singh S/o Sahib Singh R/o village Kajikot now village Singhpura, District Tarn Taran was arrested in case FIR No. 25 dated 14.08.2022 under sections 21, 25, 29 of the N.D.P.S. Act, Police Station State Special Operation Cell, Amritsar. During custodial interrogation, on 03/10/2022. the above said accused **Jaskaran Singh** suffered **disclosure statement** before the Investigating Officer in presence of the deponent and other witnesses that during the period May 2018 to May 2022, he was confined in Faridkot Jail, where he came in contact with one Paramjit Singh @ Pamma R/o Jalandhar who was also confined in jail in NDPS Act case, who had come in contact with many Pakistani smugglers. He used to talk to his family members by using his mobile phone and sometime Paramjit Singh @ Pamma made him talk to Pakistani smugglers, hence, he (Jaskaran Singh) also came in contact with Pakistani smugglers. Paramjit Singh Pamma was released on bail and he absconded. Thereafter his contact with Pakistani smuggler got disconnected. In the meanwhile, the one of his co-accused in some other case named, **Rattanbir Singh** got released on bail and he (Jaskaran Singh) was shifted to Goindwal Sahib jail, where he arranged a mobile phone and made contact with his old Pakistani contacts, who told him that now smuggling is being done through drone. Hence, he may send them appropriate locations in Khemkaran sector near fencing of Indo-Pak border for easy smuggling of arms-ammunition. Therefore, he talked to his co-accused Rattanbir Singh, who sent him locations of Indo-Pak fencing of the area of Machhike, Mehndipur, Khemkaran etc, which were further forwarded to his Pakistani contacts. Thereafter he (Jaskaran Singh) used to get locations of different locations near Indo-Pak fencing in Khemkaran sector*

*and used to further sent to his Pakistani contacts, who used to send arms-ammunition on the same locations which were used to be received by the Rattanbir Singh who used to keep the same at safe place and used to send him locations and photos of those places which were used to be further sent to Pakistani contacts. As such, they received 16 to 17 consignments of arms-ammunitions at different locations and were further supplied. He used to get put money on the locations through his associates, which were used to be lifted by the Rattanbir Singh and thereafter they used to distribute the same between them. On the intervening night of 28-29/09.2022, his Pakistani contacts had sent a huge consignment of arms-ammunition at the location sent by the Rattanbir Singh in the area of Mehdipur sector Khemkaran near fencing of India-Pakistan. The Rattanbir Singh lifted that consignment and as per his advice, the Rattanbir Singh concealed 05 pistols from the consignment near village Pidli at Tarn Taran to Ferozepur Road and the location and photo thereof was sent to him. Before forwarding the same further, the search operation was conducted in the jail and he concealed his mobile phone in the jail and he could not make contact with Pakistani smugglers. He can get the consignment of arms-ammunition and his broken mobile phone recovered and remaining consignment was kept with him by the Rattanbir Singh. Therefore, based upon the aforementioned disclosure statement, the aforesaid **FIR No. 30 dated 04.10.2022, under Section 25 Arms Act, Police Station State Special Operation Cell, Amritsar was registered.***

4. That thereafter on the basis of disclosure statement and identification made by the accused Jaskaran Singh, one green colour bag, which was buried beneath ground in parking situated on the bank of road

near village **Piddi** at Tarn Taran-Bathinda highway was recovered, which was found containing **05 pistol of 30 bore** bearing CAL-30 Made in China Norinco 31021127 were recovered in presence of the deponent by the Investigating Officer Inspector Inderdeep Singh, which were taken into police possession in accordance with law.

5. That thereafter on **04.10.2022**, on the basis of disclosure statement and identification made by the accused Jaskaran Singh, on damaged mobile phone make **Xiaomi (5G)** was recovered from barrack No. 9/06 of Goindwal Sahib jail in presence of Kewal Singh, DSP Central Jail, Goindwal Sahib, Tarn Taran which was taken into police possession in accordance with law by the Investigating Officer and offence under **Section 42, 52-A Prison Act** was added in this case.

6. That it is submitted that during investigation of the aforesaid case FIR No. 30 dated 04.10.2022 (supra), on the same day i.e. 04.10.2022, on the basis of secret information and as per identification made by the above said accused Jaskaran Singh, the **Rattanbir Singh** who was coming on one Scooty Hero Mestro bearing no. PB38-D-0347 was **arrested** from the area near Dhawan Weighing Scale situated at Khemakaran to Rattan Road, Tarn Taran. During his personal search, three mobile phones make Narzo, Redmi and I-phone and Rs. 500/- were recovered.

7. That the deponent was called at the spot by the Investigating Officer and in presence of the deponent, the Rattanbir Singh suffered **disclosure statement** wherein he admitted that as per instruction of the above said accused Jaskaran Singh, he used to receive consignments of arms-ammunition which were being sent at different locations in fencing area of India-Pakistan border by Pakistani smugglers. He had received 16 to 17 consignments of

*arms-ammunition and had further supplied the same. The Pakistani smugglers used to get money placed at different locations and the photos thereof were being sent to Jaskaran Singh who was further forwarding to him and used to lift money from those locations and used to distribute between them. On the intervening night of 28-29/9/2022, the Pakistani smugglers had sent a huge consignment of arms-ammunition at the location sent by him i.e. in Khemkaran sector area Mehndipur near India-Pakistan fencing. As per instruction of Jaskaran Singh, he (Rattanbir) concealed 05 pistols near village Pididi and remaining 05 pistols of 09 MM were kept concealed by him in one sack of fertilizer in bushes near electricity pole at village **Machhike**. Therefore, on the basis of disclosure statement and identification made by the Rattanbir Singh, **05 pistols 09 MM with 10 magazines** were recovered from the above said place in presence of the deponent, which were taken into police possession in accordance with law by the Investigating Officer.*

8. That it is submitted that the accused Jaskaran Singh and Rattanbir Singh were produced before the learned Court of competent jurisdiction and their police remand was granted by the learned Court.

*9. That during investigation on **07.10.2022**, the accused **Jaskaran Singh** suffered disclosure statement before the Investigating Officer that his relative and present **petitioner Surinder Singh** is also involved with him in smuggling of arms-ammunition from Pakistan. Above mentioned Rattanbir Singh used to supply the consignments of arms-ammunition to Surinder Singh and he used to further supply it at different locations as per his instructions. The consignment of arms-ammunition received on 21.09.2022 was further handed over to Surinder Singh by the Rattanbir Singh, which is still in*

*the possession of Surinder Singh and Jaskaran Singh can get Surinder Singh arrested and can get the arms-ammunition recovered from him. Therefore, **petitioner Surinder Singh was also nominated as co-accused in this case and he was arrested in this case on 07.10.2022 from village Barwala, Tarn Taran.***

*10. During investigation, petitioner **Surinder Singh** suffered **disclosure statement** that on the intervening night of 21-22/09/2022, as per instructions of Jaskaran Singh, the Rattanbir Singh had delivered him consignment of 10 pistols with magazines and about 100 cartridges in two packets which were kept concealed in one sack on the passage leading to his residential house. Therefore, based upon the disclosure statement and identification made by the **petitioner Surinder Singh and Jaskaran Singh, 06 pistols 30 bore with magazines, 02 pistols 9mm with magazine, 06 pistols .30 bore with magazines and 02 pistols Zigana made in Turkey with magazines, 06 more magazines of 30 bore pistols, 55 live cartridges of 30 bore pistols and 50 live cartridges of 9MM were recovered,** which were buried beneath ground on the passage leading to residential house of the **petitioner Surinder Singh** at village Barwala in presence of the deponent, were taken into police possession in accordance with law by the Investigating Officer.*

*11. That thereafter on **08/10/2022**, the aforesaid accused **Jaskaran Singh and petitioner Surinder Singh** suffered further disclosure statements before the Investigating Officer that about 06 months ago, they had concealed huge quantity of arms-ammunition and Indian currency notes, earned from selling arms-ammunition, in the residential house of their known **Harchand Singh S/o Joga Singh R/o Village Valtoha, District Tarn Taran** and can get the same recovered. Therefore, based thereupon,*

*the above said Harchand Singh was also **nominated** as co-accused in this case and on 08/10/2022, pursuant to the disclosure statements and identification made by the accused Jaskaran Singh and Surinder Singh, the house of above said Harchand Singh was raided and he was arrested in this case and on his disclosure, one sack containing **01 pistol 30 bore with magazine, 05 pistols 9MM with magazines, 01 pistol .32 bore with magazine, 01 rifle MP Carbine Cal. 5.56 MM with magazine, 300 live cartridges of MP Carbine Cal 5.56 MM, 60 live cartridges of 30 bore, 235 live cartridges of 9MM were recovered in presence of the deponent and another sack of fertilizer containing Indian currency notes of Rs. 1,01,000,00/- (one crore one lakh) in different denomination were recovered and another sack containing one electronic counting machine make Bank Note Counter Model Z 100 and 500 GM of heroin and one electronic weighing scale were recovered in presence of the deponent, which were taken into police possession in accordance with law. Gursahib Singh, the brother of the above said accused Harchand Singh was also arrested from the above said place. The offence under Section 21, 27-A of NDPS Act was added in this case.***

6. Relying on the same, counsel for the respondent-State submits that the present case is not one of isolated or minor contraventions but pertains to an extensive and highly organized crime network engaged in cross-border trafficking of narcotics and weaponry. It is contended that, pursuant to the disclosure statements of both accused persons named therein, the investigating agency effected recovery not only of commercial quantity of heroin but also of an enormous cache of arms, ammunition, and illicit

funds. Counsel submits that the recoveries include nearly 29 pistols, 43 magazines, one rifle, one carbine of calibre 5.56 mm, approximately 825 cartridges, one kilogram of heroin and Indian currency amounting to ₹1,09,000/-, possibly proceeds of the drug money. In addition, cash exceeding ₹1 crore have been seized during the course of the investigation. Counsel vehemently contends that such extensive recoveries indicate the scale, sophistication and cross border character of the criminal enterprise in question. Moreover, the magnitude of the recoveries demonstrates not only the deep-rooted involvement of the accused persons but also their capacity to influence witnesses, interfere with the investigation and also to abscond from the process of law if enlarged on bail. He, however, fairly concedes that the petitioner(s) have indeed undergone actual custody of more than three years. Notwithstanding this, he submits that prosecution shall take every endeavor to expeditiously conclude the prosecution evidence in the present case.

7. Having heard learned counsel for the parties and considering the circumstances delineated hereinabove including the substantial recoveries effected at the instance of the petitioner(s) and the modus operandi adopted in the conduct of the operations, involving cross-border smuggling of arms and narcotics I am of the opinion that the petitioner(s) are not entitled to the concession of regular bail at this stage. However, noticing that the petitioner(s) have already undergone a substantive period of custody which is nearly three years in the present case and only 01 witness has been examined so far, it is deemed expedient to issue a direction to the trial Court to take all effective steps to expeditiously conclude the prosecution

evidence. The trial Court is thus directed to take effective measure to conclude the prosecution evidence within the period six months from the date next fixed before the trial Court for recording of the prosecution evidence.

8. Needles to mention that in the event of the prosecution evidence is not being concluded in the aforesaid period, the petitioner(s) shall be at liberty to approach this Court again for seeking the concession of regular bail.

The present petitions are dismissed.

(VINOD S. BHARDWAJ)

JUDGE

DECEMBER 10, 2025

Vishal Sharma

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