



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

223

CRM-M-50768-2025

Date of decision: 17.10.2025

Navjot Singh @ Nannu @ Navjot Dhiman

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present : Mr. Ramneek Vasudeva, Advocate for the petitioner.

Mr. Gautam Thapar, Sr. DAG, Punjab.

AARADHNA SAWHNEY, J.(ORAL)

1. By virtue of the present petition under Section 483 BNSS, petitioner, an accused in case bearing FIR No. 31 dated 10.05.2025 registered against him, for commission of offences punishable under Sections 21(b), 27, 27(a), 29-61-85 of Narcotic Drugs and Psychotropic Substances, Act 1985 at Police Station City Kurali, District SAS Nagar, has prayed for grant of bail.

2. Relevant facts emerging from documents on record be noticed hereinbelow:-

On 10.05.2025 based on a chance recovery, Police team headed by ASI Gurmail Singh seized 9 grams of heroin (Intermediate Quantity) and a sum of Rs.1870/- as drug money from possession of two persons who introduced themselves as Sukhwinder Singh @ Sukhi and Jaswinder Singh @ Jassa. After the statutory formalities were complied with, FIR was lodged. Aforementioned Sukhwinder Singh @ Sukhi was interrogated who disclosed that he had purchased the contraband from Rajwinder Singh @ Raju, son of Rampal resident of Village Niholka, Kurali and Navjot Dhiman @ Nanu, son of Manmohan Singh, resident of Kurali, (present petitioner). Both



the above-mentioned persons were, thus, arrayed as accused.

Co-accused Rajwinder Singh @ Raju, who was already in custody in case FIR No.16 of 2025 under Sections 21, 27 of the NDPS Act, was also interrogated. He confessed to his involvement in the commission of offence and disclosed that he had been procuring drugs from one Aman Sharma, son of Sunil Sharma. Accordingly, the aforesaid Aman Sharma was also nominated as accused. Incidentally, Aman Sharma was also in custody in some other case bearing FIR No.35 of 2025 under Section 21, 27 of the NDPS Act. After securing his production warrants, he was also interrogated who disclosed that he had professional dealings with Navjot @ Nanu (present petitioner), who is engaged in the business of selling Narcotics.

On 17.06.2025, the present petitioner- Navjot Dhiman @ Nanu was arrested. After the statutory requirements were complied with, notice under Section 50 of the NDPS Act was issued upon him (P), who denied having been engaged in the business of selling drugs or consuming drugs etc. Petitioner also reposed faith in ASI and consented to be searched by him (ASI). On personal search of petitioner, nothing was recovered. However, during interrogation petitioner disclosed that he had purchased 20 grams of 'Heroin' from an unknown person, standing at Bus Stand, Ludhiana and had sold some drugs. He also got recovered remaining portion of contraband (15 grams of Heroin).

Statements of witnesses were recorded. On culmination of investigation, challan was prepared and filed in the Court on 21.08.2025.

3. Petitioner/accused who was arrested on 17.06.2025 moved an application for grant of bail before the learned Judge Special Court, SAS



Nagar. The same was dismissed vide order dated 21.07.2025. Aggrieved of the same, present petition has been filed.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated, he was not apprehended at the spot, has been arrayed as an accused only on the basis of disclosure statements made by co-accused Sukhwinder Singh @ Sukhi and Jaswinder Singh @ Jassa, both of whom were allegedly caught red handed while keeping in their illegal possession 09 grams of heroin (Intermediate Quantity). Further, as per learned counsel the story put forth by the prosecution that in pursuance of disclosure statement made by petitioner 15 grams of Heroin was recovered from an open place (near bridge of river situated at Niholka Road) also does not inspire confidence, for no independent person was arrayed as a witness to the said recovery proceedings. Moreover, it also sounds strange to common sense that petitioner would hide the contraband in an open place accessible to all.

Continuing further, learned counsel contends that petitioner has been falsely implicated in 3 FIRs of like nature, the details of which have been mentioned in para 15 of the status report. As per learned counsel, in none of the aforesaid 3 cases, petitioner was apprehended at the spot; he was nominated as accused only on the basis of disclosure statements of co-accused arrested at the site. Further, the false implication of the petitioner is evident from the fact that in one of the FIRs bearing No.48 dated 20.06.2025 registered against him, the petitioner was in custody in the present case on 17.06.2025, thus the question of petitioner supplying the contraband or Narcotics to the accused persons involved in FIR No.48 does not arise. The fact that petitioner has been simultaneously involved in 3 cases of the like



nature within a short span of time clearly indicates his false implication.

Learned counsel further submits that Aman Sharma @ Bunty and Rajwinder Singh, who are similarly situated as present petitioner, have since been granted concession of bail, thus similar treatment be meted out to him.

It is further the submission of learned counsel that out of 14 prosecution witnesses, none has been examined, thus, likelihood of completion of trial in the near future is quite remote. Hence, further incarceration of petitioner in custody, would not serve any useful purpose and would also be violative of his Fundamental rights guaranteed under Article 21 of the Constitution of India. It has thus been prayed to take lenient view in petitioner's favour, who has been in custody since 17.06.2025, by extending him the concession of bail.

5. Short reply dated 09.10.2025 by way of affidavit of Mr. Mohit Aggarwal, PPS, Superintendent of Police, Mullanpur, Sub Division, District SAS Nagar, has been placed on record. Opposing the petition, learned State Counsel submits that petitioner has been specifically named by the other accused, as the person who had supplied the contraband. Even otherwise he has questionable past antecedents, being involved in three cases of the like nature (the details of which are mentioned in para No.15 of the short reply). In view of the case set up by prosecution, petitioner being the focal point and also having remained involved in similar cases, it cannot be presumed that he is not involved in this offence or that he is not likely to commit the offence again, if extended the concession of bail. Dismissal of the petition has been prayed for.

6. I have heard the learned counsel for the parties and have gone



through the documents on record.

7. Admittedly, the petitioner was not arrested at the site. Name of the petitioner cropped up in the disclosure statements of the co-accused, the admissibility and reliability of the said statement is a question which would be decided during the course of trial based on the evidence adduced on the case file. It has been noticed that though petitioner is involved in other cases of like nature, but admittedly in all the three cases, his name cropped up in the disclosure statements of accused caught at the site in the said cases.

When appreciated in the light of the facts that have been brought on record, the Court is of the opinion that no useful purpose would be served by further detention of the petitioner, as the same, without the prospect of trial being concluded in the near future, would be violative of his rights under Article 21 of the Constitution of India, including right to speedy trial and would, thus, also be against the principle of "*Bail is a general rule and incarceration is an exception*" as held by Hon'ble Supreme Court in ***Dataram vs. State of Uttar Pradesh and another, 2018(2) R.C.R. (Criminal) 131.***

Further as has been rightly submitted by learned counsel for the petitioner, the likelihood of completion of trial is quite remote as out of 14 prosecution witnesses none has been examined till date. Thus, this Court is of the opinion that in the facts and circumstances as mentioned above, petitioner is granted the concession of bail subject to his furnishing bail/surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned. The petitioner shall abide by the following conditions:-

(i) The petitioner shall not leave the country without prior permission of the trial Court and shall deposit the passport in



the trial Court.

(ii) The petitioner will not tamper with the evidence during the trial.

(iii) The petitioner will not pressurize/ intimidate the prosecution witnesses.

(iv) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.

(v) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.

(vi) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.

(vii) The petitioner shall not in any manner misuse his liberty.

(viii) The petitioner shall furnish his address and mobile number to the Trial Court forthwith and shall not change the same till the conclusion of the trial and in case for any reason, the petitioner seeks to change any of the aforesaid, the same shall be done only with prior intimation to the learned Trial Court, stating the reason for the same.

(ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

8. Accordingly, the present petition is allowed and it is made clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

In view of the above, it is clarified that the observations made herein are limited for the purpose of present proceedings and would not be



construed as an opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AARADHNA SAWHNEY)
JUDGE

17.10.2025

Hemant

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No