



**CRM-M-52248-2025 and
CRM-M-54101-2025 1
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

212 CRM-M-52248-2025

Sandeep SinghPetitioner

Versus

**State of Punjab ...Respondent
212-2 CRM-M-54101-2025**

Amritpal Singh @ AmritPetitioner

Versus

**State of Punjab ...Respondent
Decided on: 22.12.2025**

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

**Present: Mr. P.S. Sekhon, Sr. Advocate with
Mr. Guraziz Singh Dhillon, Advocate for the petitioner
(in CRM-M-54101-2025).**

**Mr. Aditya Sanghi, Advocate
for the petitioner (in CRM-M-52248-2025).**

Mr. Jasdeep Singh, Addl. A.G., Punjab.

SANJAY VASHISTH, J.(Oral)

1. By way of this common order, present petitions are being disposed of together, as they arise out of one common FIR.
2. Present petitions have been filed under Section 483 of the BNSS seeking regular bail in connection with FIR No. 26 dated 04.02.2025, registered under Section 111 of the Bharatiya Nyaya Sanhita; Sections 21, 23, 25, 27-A and 29 of the NDPS Act, 1985, Section 25 of Arms Act; **Section 29 of the Arms Act, 1959 (in CRM-M-54101-2025 in addition to the aforesaid sections);** and Sections 3, 4 and 5 of the



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Official Secrets Act, 1923, at Police Station Gharinda, Amritsar, District
Amritsar, Punjab.

3. As per the allegations in the FIR, on receipt of secret information, a naka was laid and a Verna car bearing temporary registration No. CH12-0134 was noticed coming from the side of Village Ranike. The vehicle was being driven by Amritpal Singh @ Amrit (petitioner in CRM-M-54101-2025), while Mandeep Singh @ Mandy was seated on the front passenger seat and Madhav Sharma was seated on the rear seat. After following the procedure prescribed under the NDPS Act, a search was conducted. From the left pocket of the jacket worn by co-accused Mandeep Singh @ Mandy, 500 grams of heroin wrapped in a plastic polythene was allegedly recovered. From the left pocket of the pant worn by petitioner Amritpal Singh @ Amrit, one .30 bore pistol was recovered. From co-accused Madhav Sharma, who was sitting on the rear seat with a kit bag on his shoulder, Indian currency notes amounting to Rs. 10 lakhs were recovered. Apart from the aforesaid recoveries, a currency counting machine was also recovered from the dickey of the vehicle.

4. Mr. P.S. Sekhon, learned Senior counsel for petitioner Amritpal Singh @ Amrit submits that no offence under the NDPS Act is made out against him, as no contraband was recovered from his possession. The only recovery attributed to him is of a .30 bore pistol. It is argued that there was no prior knowledge on his part regarding the alleged heroin kept by co-accused Mandeep Singh @ Mandy in the



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pocket of his jacket, which was not even visible. It is contended that the crucial question for trial would be whether all the accused were in conscious possession of the contraband or whether it was only the co-accused Mandeep Singh @ Mandy who had exclusive knowledge and possession of the same. It is further argued that even otherwise, at best, the allegation against the petitioner would attract an offence under Section 25 of the Arms Act, which is triable by the learned Magistrate.

5. Learned Senior counsel further submits that petitioner Amritpal Singh @ Amrit is aged about 30 years, has no criminal antecedents, and has never been found involved in any other criminal activity. He is in custody since 04.02.2025. The investigation has already been completed and the challan has been presented, though the trial is yet to commence. Thus, prays for grant of regular bail

6. Qua petitioner Sandeep, Mr. Aditya Sanghi, Advocate submits that name of petitioner surfaced only on the basis of the disclosure statement of co-accused Amritpal Singh. It is contended that after his arrest, neither any contraband under the NDPS Act nor any weapon was recovered from his possession. Learned counsel for the petitioner has further refers to the order dated 23.06.2025 passed in CRM-M-33039-2025, whereby co-accused Rajbir Singh was granted the concession of interim bail on similar grounds, which reads as under:

“1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in



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a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Rajbir Singh, aged about 33 years	26	04.02.2025	111 of BNS, Sections 21/23/25/27 -A/29 of NDPS Act and Section 25 of the Arms Act and Sections 3/4/5 of Official Secrets Act	Gharinda	Amritsar

2. *Counsel for the petitioner contends that even if the version of the FIR is taken to be correct, it is found that only name of the petitioner Rajbir Singh has been disclosed by the secret informant to the Police Officials. Apart this, at the time of stopping of the vehicle and effecting of recovery in the presence of Sh. Lakhwinder Singh, PPS, Deputy Superintendent of Police, Sub Division Atari, District Amritsar Rural, only accused-Amritpal Singh, Mandeep Singh and Madhav Sharma were noticed on spot in black coloured Verna car, bearing Temporary No.CH-120134. Learned counsel for the petitioner submits that petitioner was neither found in the company of the accused persons who were present in the car, nor he was present at the time when the recovery was effected. The recovery was made solely on the basis of the disclosure statements given by the three named accused. Petitioner is serving as an Indian Army Naik (Trade Driver) on a temporary duty in a military hospital, near Nasik in the State of Maharashtra. Even, name of the petitioner is not found mentioned or*



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involved in any manner during the course of investigation till the time of effecting recovery or even registration of FIR. Thus, custodial interrogation of the petitioner, without there being any substantial reason with the investigation agency, would be of no consequence and meaningful purpose. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

4. *Notice of motion.*

5. *On advance notice, Mr. Manjinder Singh Bhullar, DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

6. *Adjourned to 26.08.2025, to enable learned State counsel to file status report in the matter.*

7. *In the meanwhile, petitioner shall not be arrested. However, question of joining of investigation of the petitioner would be examined on the next date of hearing after reviewing the status report, which is yet to be filed by learned State counsel.*

8. *It is expected that status report, which is yet to be filed by learned State counsel, shall be submitted highlighting the alleged connection of the petitioner with the already arrested accused. It is anticipated that any such linkage, if at all, would be supported by some form of substantive evidence.”*

7. It is further submitted that petitioner Sandeep, aged about 31 years, has no criminal antecedents and is in custody since 07.02.2025.

8. On the other hand, learned State counsel opposes the petitions and submits that the petitioners are involved in organized crime and are members of a gang. It is argued that such incidents are on the rise



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in the area and, if released on bail, the petitioners may associate with hardcore criminals and disturb public peace.

However, learned State counsel is unable to dispute the factual aspects highlighted by learned counsel for the petitioners, including the period of incarceration, completion of investigation, presentation of challan, and the fact that none of the petitioners is involved in any other criminal case. It is also conceded that the trial has not yet commenced and most of the witnesses cited by the prosecution are official witnesses.

9. I have considered the submissions advanced by learned counsel for the parties.

10. Without expressing any opinion on the merits of the case, considering the nature of allegations, the period of custody undergone by the petitioners, the fact that the investigation stands completed and challan has been presented, also in the absence of criminal antecedents, and that the trial is likely to take considerable time, this Court is of the view that the petitioners deserve the concession of regular bail.

Accordingly, without expressing any opinion on the merits of the case, prayer made in the present petitions is **allowed**. Petitioners are ordered to be released on regular 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.



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8. Any of the discussion done and recorded hereabove, 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.

9. Petitions stand disposed of.

10. A photocopy of this order be placed on the file of another connected case.

**(SANJAY VASHISTH)
JUDGE**

December 22, 2025
Rashmi

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