



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

217+289

Date of decision: 12.11.2025

CRM-M-62444-2025

JOBANJIT SINGH ALIAS JOGA ALIAS JOBANJEET SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

(2)

CRM-M-54769-2025

HARMAN SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

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

Present: - Mr. Raghav Soni, Advocate
for the petitioner in CRM-M-62444-2025.

Ms. Dolli Sharma, Advocate and
Mr. Sahil Gupta, Advocate
for the petitioner in CRM-M-54769-2025.

Mr. Mohit Kapoor, Senior DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)



same have been filed by two accused persons seeking concession of regular bail in case bearing FIR No. 42 dated 07.03.2025, registered under Section(s) 21-C, 29, 61, 85 of the NDPS Act, 1985 and (Section 25 of the Arms Act, 1959 was added later on) at Police Station Chheharta, District Amritsar.

2. The allegations as set out in the present FIR are extracted hereinbelow:-

“To the SHO, Chheharta Police Station, District Amritsar. 'Jai Hind Today, I, SI, along with ASI Jaibir Singh 2510/ASR, ASI Kamaljit Kaur 2107/ASR, ASI Lakhbir Singh 2080/ASR were on patrol and a search for bad characters in the area. We were traveling in a government Scorpio vehicle with registration number PB02-BL-1876, along with an investigation kit and a laptop printer, moving from the Sun Sahib Road towards Guru Ki Wadali, etc. When the police party was a little behind the cremation ground of the village Guru Ki Wadali, a Sikh young man was seen standing on the side of the road under the street lights. Seeing the police party, he moved to the dark side and tried to throw something out of the right pocket of his pants. I, SI, with the help of my fellow officers, caught him and asked for his name and address. On being asked, he gave his name as Joban Singh alias Joban, son of Ajit Singh, resident of village Guru Ki Wadali, near Maan Chukki and Barana Chowk, Police Station Chheharta, District Amritsar. When asked about the transparent polythene bag he was holding in his right hand, he said that it contained heroin. At this, I, SI, before checking the bag in his right hand, tried to involve a public witness in the police party. But everyone expressed their own reasons for not joining the



police party. At this, I, SI, asked ASI Kamaljit Kaur 2107 to start videography on her mobile phone through the E-Sakshya App, and I, SI, opened the said polythene bag and checked it, and another transparent polythene bag with heroin was recovered from inside. At this, arrangements were made to weigh the said recovered heroin, and when weighed with the polythene bag, it came to 290 grams of heroin. The recovered heroin, along with the polythene bag, was put into a plastic box and a parcel was prepared. The parcel was sealed with my initials 'DS', and a sample seal was prepared separately. The seal was then handed over to ASI Jaibir Singh 2510/ASR after use. The said parcel, plastic box of heroin, and the sample seal were taken into police possession through a separate recovery memo. Since the recovery was sudden, the Ilaqa Magistrate or a Gazetted Officer could not be called on the spot. A separate report under Section 42 of the NDPS Act is being prepared and sent to senior officers. The accused Joban Singh alias Joban has committed an offense under Section 21-C/61/85 of the NDPS Act by keeping 290 grams of heroin in his possession. A rukka is being written and sent to the police station through ASI Lakhbir Singh 2080 to get a case registered. The case should be registered, and the case number should be communicated. The control room should be informed. Special reports should be issued and sent to the Ilaqa Magistrate and senior officers. I, SI, along with my fellow officers, am busy with the investigation on the spot. Within the area of village Guru Ki Wadali road, near the cremation ground. AT: 09:00 PM. Sd/ Devinder Singh SI In-charge, Police Post Kale Ghanupur, Police Station Chheharta, District Amritsar. Date: 07.03.2025.”

3. Learned counsel appearing on behalf of the petitioners submit



that the recovery of 290 grams of heroin was effected solely from the co-accused, Joban Singh, who in his disclosure statement nominated as many as seven persons, including the petitioners. It is contended that no recovery whatsoever has been effected from either of the petitioners, who were taken into custody on 10.03.2025 (Harman Singh) and 11.03.2025 (Jobanjit Singh @ Jogga @ Jobanjeet Singh). The investigation stands concluded and the final report was filed on 02.09.2025, yet charges have not been framed, thus, the conclusion of the trial is likely to take considerable time. It is further submitted that a similarly placed co-accused, Mukesh Yadav, has already been granted the concession of regular bail vide order dated 28.10.2025 passed in CRM-M-49201-2025 by this Court.

4. Counsel for the respondent-State, on the other hand, submits that petitioner Jobanjit Singh @ Jogga @ Jobanjeet Singh is involved in another case involving recovery of 205 grams of heroin, which is an intermediate quantity; however, he has already been granted the concession of regular bail in that matter. It is further not disputed that no other criminal case is registered against petitioner Harman Singh.

5. I have heard learned counsel appearing on behalf of the respective parties.

6. In view of the facts noted above and taking into consideration the nature of the allegations, the period of custody already undergone, the fact that no recovery has been effected from the petitioners in the present case, as well as the circumstance that the charge has not yet been framed and the

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conclusion of trial is likely to take considerable time, and further noting that the similarly placed co-accused, Mukesh Yadav, has already been granted the concession of regular bail vide order dated 28.10.2025, I deem it appropriate to enlarge the petitioners on regular bail to the satisfaction of the trial Court.

7. The instant petitions are allowed and the petitioners are ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

8. It is made clear that the petitioners shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

9. The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

NOVEMBER 12, 2025*Vishal Sharma***(VINOD S. BHARDWAJ)
JUDGE**

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