



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

1 (212) CRM-M-65184-2024
Date of decision: April 30th, 2025
Joginder SinghPetitioner

Versus

State of PunjabRespondent

2 (223) CRM-M-14924-2025
Rajpal alias Rajpal SinghPetitioner

Versus

State of PunjabRespondent

3 (224) CRM-M-15071-2025
Angrej SinghPetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Piyush Sharma, Advocate
for the petitioner (in CRM-M-65184-2024).

Mr. Shailesh Aggarwal and Ms. Nikita, Advocates
for the petitioner (in CRM-M-14924-2025).

Mr. Gurpal Singh Sandhu, Advocate
for the petitioner (in CRM-M-15071-2025).

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J.

This order shall dispose of the above-mentioned petitions filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita (hereinafter referred to as 'BNSS'), whereby the petitioners Head Constable Joginder Singh, ASI Rajpal Singh and ASI Angrej Singh, are seeking the concession of regular bail, as they arise out of the same FIR i.e. FIR No.90 dated 25.07.2022 under Sections 166, 167, 195, 471, 218, 120-B of the IPC, Sections 21 and 59 of The NDPS Act and Section 13 of The Prevention of Corruption Act, registered at Police Station Cantt. Ferozepur, arising out of allegations relating to fabrication of a NDPS Act case and misappropriation of a substantial amount of alleged drug money.

2. For the sake of convenience, the facts are being taken from CRM-M-65184-2024.

3. Learned counsels for the petitioners submit that the present FIR is a counterblast to FIR No.88 dated 20.07.2022 registered under the NDPS Act, wherein one Gautam Parik and Kanwaljeet Singh were apprehended with the recovery of one kilogram of heroin and ₹5 lakh of drug money. The said recovery, it is pointed out, was duly made in the presence of a Gazetted Officer and in accordance with the procedure prescribed under the NDPS Act.

4. It has been contended that the complainant in the present case, Bhanwar Lal Parik, is closely related to accused Gautam in FIR No.88 dated 20.07.2022, and the present allegations have been orchestrated to fabricate a narrative of false implication in order to undermine the prosecution case in that matter.

5. The petitioners, it is urged, are rank-and-file officers, who allegedly acted under the instructions of their superior officers Inspector Parminder Singh Bajwa, who is stated to have since been released on regular bail. Learned counsel has further contended that no recovery has been made from the petitioners; there is no material indicating receipt of any illegal gratification or pecuniary benefit; and there exists no direct or independent evidence demonstrating their involvement in the alleged conspiracy.

6. As regards custody, petitioners-Joginder Singh and Rajpal Singh have been incarcerated since 27.07.2022 and petitioner-Angrej Singh since 06.08.2022. It has been submitted that it is a matter of record that petitioner-Joginder Singh's earlier bail petition was declined by this Court vide order dated 18.09.2023 with a direction to the trial Court to conclude the trial expeditiously by 29.02.2024, however, as on date, more than 13 witnesses remain to be examined and there is no immediate prospect of trial concluding in the near future.

7. *Per contra*, learned State counsel has vehemently opposed the prayer and submissions made by the counsels opposite. It has been submitted by the learned State counsel, on instructions, that the petitioners are part of a larger conspiracy involving the planting of narcotics, false implication of individuals, and misappropriation of approximately ₹81 lakh. It has been further contended that the entire recovery was staged, and the victims were forcibly brought to Ferozepur to fabricate a false case under the NDPS Act. However, learned State counsel does not dispute that the prime accused, Inspector Parminder Singh Bajwa, has since been granted regular bail, and the

custody period of the petitioners as well as the stage of trial has also not been disputed.

8. I have heard learned counsels for the parties and perused the relevant material on record.

9. The petitioners have been in custody for a considerable period of time. The material relied upon by the prosecution consists primarily of confessional statements and circumstantial inferences. The prime accused, who is alleged to have orchestrated the operation, has already been enlarged on bail. The role attributed to the petitioners *prima facie* appears derivative and subordinate in nature. The trial is unlikely to conclude in the near future in view of the large number of remaining witnesses to be examined.

10. In the totality of circumstances, this Court deems it fit to extend the concession of bail to the petitioners. Accordingly, the instant petitions are allowed and the petitioners be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned.

11. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

12. Needless to say, in case the petitioners misuse the concession of bail, the State would be at liberty to seek cancellation of the same.

April 30th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No