



CRM-M-63789-2025 1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-63789-2025
Decided on : 19.11.2025

HARBHEJ SINGH ALIAS BHEJA
.....Petitioner
Versus
STATE OF PUNJAB
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Veneet Sharma, Advocate,
for the petitioner.

Mr. Ritu Raj Singh, DAG, Punjab.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Harbhej Singh @ Bheja, aged about 25 years	49	18.03.2025	21, 21-C, 29, 61/85 of NDPS Act and section 25 of Arms Act, 1969	Chheharta	Amritsar City

2. Learned counsel for the petitioner contends that the prosecution case rests on the allegation that the main accused, Karandeep Yadav, was arrested with one kilogram of heroin, a pistol and two live



cartridges. After the registration of the FIR and arrest of the said accused namely Karandeep Yadav, a disclosure statement was recorded in which he named two additional persons, namely Ajayveer Singh @ Raja and petitioner Harbhej Singh @ Bheja.

It is argued that FIR was registered on 18.03.2025, and thereafter, recoveries were effected from the main accused; however, petitioner has been lodged in jail since 17.11.2021 and has never been released on bail, making his alleged involvement inherently false and aimed only at preventing his release despite favourable bail orders passed in other matters.

3. By placing reliance on the order dated 30.10.2025 passed in CRM-M-40567-2025, counsel for the petitioner points out that co-accused Ajayveer Singh @ Raja, who was initially named in the disclosure statement of Karandeep Yadav, was found innocent during the investigation, and his application under Section 169 Cr.P.C. was allowed. It is, thus, submitted that no recovery could be effected from the petitioner, nor it could be, because he was already inside jail. Even the allegations levelled are unbelievable, because it vaguely suggests about the supplying of the contraband to accused Karandeep Yadav, without specifying its nature or quantity.

4. Counsel further relies on the order dated 17.11.2025 passed in CRM-M-63380-2025 to submit that petitioner has also been granted bail in another case registered on 27.01.2024, despite the fact that he had been continuously confined since 17.11.2021. In that case as well,



petitioner was implicated merely on the basis of disclosure statement of co-accused, and no recovery was effected from him.

It is further submitted that although, petitioner is shown to have been arrested in the present case on 24.03.2025, in fact, he was already inside jail since 17.11.2021. Highlighting the prolonged period of incarceration, counsel prays for grant of regular bail to the petitioner in the present case.

5. Learned State counsel, while opposing the prayer for bail, submits that petitioner is a habitual offender as he stands involved in three other cases under the NDPS Act.

Details of these cases are as follows:-

- (i) FIR No.198 dated 17.11.2021 under Sections 21-C, 25 and 29 of NDPS Act, registered at Police Station Sector 79, SAS Nagar,;
- (ii) FIR No.105 dated 29.07.2022 under Sections 21, 27-A and 29 of NDPS Act, registered at Police Station Lopoke; and
- (iii) FIR No.22 dated 21.01.2025 under Sections 21-C, 25, 27 and 29 of NDPS Act and Section 238 of BNS, registered at Police Station Sector 79, SAS Nagar.

However, upon a query raised by the Court, learned State counsel fairly admits that all these FIRs were registered during the period when the petitioner was already in judicial custody since 17.11.2021.



Learned State counsel further concedes that co-accused Ajayveer Singh @ Raja, who was also implicated in the present case solely on the basis of disclosure statement of accused Karandeep Yadav, has been found innocent during investigation.

6. This Court has heard the submissions addressed by learned counsel for the parties and has perused the record available, and has also examined the orders dated 30.10.2025 passed in CRM-M-40567-2025 and 17.11.2025 passed in CRM-M-63380-2025, which are produced today before the Court by counsel for the petitioner.

7. There is no dispute that petitioner has remained in custody since 17.11.2021. Allegations against the petitioner in the present case is based solely on the disclosure statement of co-accused Karandeep Yadav. As per the allegation, petitioner had supplied a part of the contraband already recovered from the main accused. However, it is an admitted position that no contraband or weapon could be recovered from the possession of the petitioner. Though, technically petitioner is shown to be in custody in the present case since 24.03.2025, but the fact remains that he has not been released from custody at any point of time, since 17.11.2021. It is also noticed that in another case, i.e., FIR No. 19 dated 27.01.2024 registered under Sections 21, 21-C, 25, 29, 27-A, 61/85 of the NDPS Act, co-ordinate Bench of this Court has already granted him the concession of bail.

8. In view of the totality of circumstances, nature of allegations levelled against the petitioner, and the factors discussed above, this Court deems it appropriate to extend the concession of bail to the petitioner.



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Consequently, prayer made in the present petition is **allowed**.

Petitioner is ordered to be released on bail, subject to his 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.

9. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. Any of the discussion done and recorded here above, 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.

11. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

12. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

19.11.2025

Lavisha

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