

**CRM-M-68389-2025**

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

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**CRM-M-68389-2025
Date of decision: 16.12.2025****SUKHDEV SINGH ALIAS VISHAL SINGH ALIAS SHALLU
....Petitioner****Versus****STATE OF PUNJAB****...Respondent****CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR**

Present : None.

YASHVIR SINGH RATHOR. J.(Oral)

1. Today, lawyers are abstaining from work.
2. This is 2nd petition filed under Section 483 of BNSS seeking concession of regular bail to the petitioner in case FIR No.134 dated 23.06.2025 registered under Sections 21, 27(A), 29 of NDPS Act, 1985 at Police Station Jandiala, District Amritsar Rural, Punjab.
3. As per allegations in the FIR, police party apprehended one Akashdeep Singh from whom 5 grams heroin and a sum of Rs.850/- as drug money were recovered, who disclosed that he had brought the same from Vishal (petitioner) and Gurjant Singh on the asking of his brother Karandeep Singh. On his further interrogation, he suffered a disclosure statement to the effect that he had brought the afore-said heroin from Harpreet Singh and Arshdeep Singh and they were nominated as accused and arrested on 24.06.2025. 15 grams of heroin and Rs.1500/- were recovered from co-accused Harpreet Singh and 10 grams of heroin and a sum of Rs.1000/- as drug money were recovered from Arshdeep



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Singh. The contraband and the drug money were taken into possession.

4. It is mentioned in the petition that petitioner has been falsely implicated in the present case. His name has cropped up in the disclosure statement of co-accused Akashdeep Singh, which is not admissible in evidence. No contraband has been recovered from the possession of the petitioner. Challan has already been presented after completion of investigation. Co-accused namely Akashdeep Singh, Gurjant Singh, Surinderpal Singh, Kirandeep Singh and Arshdeep Singh, who are similarly situated have already been released on bail by this Court, vide orders dated 13.08.2025, 22.08.2025, 03.09.2025, 06.11.2025 12.11.2025 respectively. Trial will take a long time to conclude and no useful purpose shall be served by detaining the petitioner in custody and he may be released on bail.

5. A Co-ordinate Bench of this Court in ***Anshul Sardana versus State of Punjab***, passed in CRM-M-65094-2024 (2025:PHHC:004198), after relying upon the law laid down by the Hon'ble Supreme Court in AIR 2020 Supreme Court 5592 ***Tofan Singh versus State of Tamil Nadu***,; 2024 INSC 290 ***Smt. Najmunisha, Abdul Hamid Chandmiya @ Ladoo Bapu versus State of Gujrat, Narcotics Control Bureau***,; 2022 (1) RCR (Criminal) 762 ***State by (NCB) Bengaluru vs. Pallulabid Ahmad Arimutta & Anr.***'; and Special Leave to Appeal (Crl.) No.(s) 1266/2023, decided on 17.05.2023 ***Vijay Singh vs. The State of Haryana***, has held as under:

"6.3 It is a well established principle of law that a confession made by a co-accused under Section 67 of the NDPS Act is inherently a very weak piece of evidence. Such statement(s), by themselves, cannot form the sole basis for the conviction of an individual and must be



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scrutinized with utmost caution in conjunction with other substantive evidence. Moreover, no recovery has been effected from the possession of the petitioner, who has been subsequently implicated as an accused solely on the basis of disclosure statement of the co-accused. However, as regular bail pertains to life and liberty of individual, Courts are obligated to strike a balance between safeguarding personal liberty and ensuring the effective administration of justice as also investigation. The final evidentiary value and admissibility of the disclosure statement made by a co-accused fall within the domain of the trial Court and are to be adjudicated during the course of the trial in accordance with established principles of law.

However, while adjudicating a plea for regular bail, this Court cannot remain oblivious to the circumstances under which the petitioner has been arraigned or implicated, including the nature of the allegations, the evidence linking the petitioner to the offence as well as the specific role attributed to the petitioner in the commission of the alleged offence. A prima facie examination of these factors is essential to ensure that the process of law is not misused, abused or misdirected."

7. In the present case, 05 grams of heroin alongwith a sum of Rs.850/- have been recovered from co-accused Akashdeep Singh. Name of petitioner has cropped up in the disclosure statement of co-accused Akashdeep Singh. As per his disclosure statement, petitioner is the supplier of the contraband and thereafter, the petitioner was arrested. Nothing has been recovered from his possession and at this stage, there is no material to connect him with the alleged offence except disclosure statement suffered by co-accused. As to how much evidentiary value will be attached to the said disclosure statement will be seen during the trial. Petitioner is in custody since 28.06.2025. Trial is likely to take sufficiently long



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time to conclude and as such, no useful purpose will be served by detaining the petitioner in custody. Moreover, co-accused namely Akashdeep Singh, Gurjant Singh, Surinderpal Singh, Kirandeep Singh and Arshdeep Singh, who are similarly situated have already been released on bail by this Court, vide orders dated 13.08.2025, 22.08.2025, 03.09.2025, 06.11.2025 12.11.2025 respectively.

8. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail bond and surety bond to the satisfaction of learned Trial Court/Duty Magistrate concerned.

9. Pending misc. application(s), if any, shall also stand disposed of.

16.12.2025
amandeep

(YASHVIR SINGH RATHOR)
JUDGE

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