

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

2026:PHHC:049351



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CRM-M-3296-2026 (O&M)  
Date of decision:30.03.2026

Lakhwinder Singh @ Lavi Fouji

... Petitioner

Vs.

State of Punjab

... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Ruhani Chadha, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

...

**Manisha Batra, J. (Oral).**

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 298 dated 31.12.2023 registered under Sections 21 and 29 of Narcotic Drugs and Psychotropic Substance Act, 1985 (for short 'NDPS Act'), Section 25 of Arms Act, 1959 (Sections 21(c), 23, 25 and 27-A of NDPS Act and Sections 25 (6, 7, 8) of Arms Act, 1959 were added later on) at Police station Islamabad, District Amritsar, Punjab.

2. As per the allegations, on 31.12.2023, a secret information was received to the effect that the accused Sandeep Singh @ Laadi and Roshan Singh were having connection with one Manpreet Singh @ Monu residing

in the USA and who, in connivance with notorious smugglers of Pakistan was indulged in the supply of contraband, arms and ammunition for bringing all these from Pakistan and the above named persons were indulged in the same business along with him. It was also informed that at that moment, they were present in a Verna car in the area of Guru Nanak Dev University and could be apprehended with illegal weapons and drugs , if raid was conducted. Believing the secret information to be true, a raiding party was immediately formed. Ruqa was sent to the police station. The above named Sandeep Singh and Roshan Singh were apprehended from the spot. On conducting their personal search as well as search of the vehicle, 19 kgs of heroin, one pistol 9 MM glock, one country made pistol, twelve live cartridges and one electronic scale were recovered from the car. They were formally arrested. The recovered articles were taken into possession. Accused Sandeep suffered disclosure statement on the basis of which drug money of Rs. 15 lakh, 2 more pistols and live cartridges were recovered from his rented accommodation. In his disclosure statement, accused Sandeep Singh disclosed about the involvement of the present petitioner and Swinder Singh @ Noni by saying that the petitioner had taken 700-800 grams of heroin from him 4-5 times and that he was having mobile No.+601128458929. The petitioner was arrested on 23.05.2025. He suffered disclosure statement admitting his involvement in the business of sale/purchase of contraband since long and also that the Verna car from where the recovery was effected was registered in his name and that he had given the same to co-accused Sandeep Singh for transportation of heroin. He disclosed that from the drug money, he had purchased a Thar vehicle.

He got recovered one pistol.7.62 MM, one magazine and drug money of Rs.11 lakhs. Some other arrests were also made. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of co-accused Sandeep which cannot be considered to be admissible in evidence. No contraband has been recovered from him. The car from which the alleged recovery was effected was sold by him to Manpreet Singh i.e. brother of accused Sandeep on 20.03.2023 and as such, he was not the owner of the said car. He had purchased a Thar vehicle by selling the said Verna car from which the recovery was allegedly effected and therefore, the Thar vehicle cannot be stated to have been purchased from any drug money. Accused Sarabjit Singh @ Hira from whom recovery had been effected and several other accused, who were nominated on disclosure statement of co-accused have been extended benefit of bail. On parity, he too deserves to be extended the same benefit. His involvement in two other cases cannot be considered to be a reason for denying benefit of bail to him. There are no chances of conclusion of trial in near future as even charges have not been framed so far. It is, therefore, argued that the petition deserves to be allowed.

4. Per contra, learned State counsel has argued that the allegations against the petitioner are serious in nature. Huge recovery of contraband was effected from the car owned by the petitioner. He has not been able to place any material on record to show that he was not owner of the said vehicle anymore. The recovery of one pistol and drug money to

the tune of Rs.11 lakh has also been effected from his possession. His incarceration cannot be stated to be prolonged one. There is nothing on record to show that there would be any undue delay in conclusion of the trial. Apart from his being involved in this case on the basis of disclosure statement of the co-accused, the other evidence placed on record also shows his active complicity in the crime. It is, therefore, stressed that the petitioner does not deserve to be extended benefit of bail.

5. This Court has the heard rival submissions made by learned counsel for the parties.

6. The petitioner is alleged to have involved in smuggling of contraband and arms/ammunitions. He was not named in the FIR and was involved on the basis of disclosure statement of co-accused, Sandeep. Though, no contraband has been effected from him but recovery thereof had been effected from the car which is owned by him. Rigors of Section 37 of the NDPS Act are *prima facie* attracted in this case. Investigation qua the petitioner has been concluded. Some of the co-accused, who were involved on the basis of disclosure statement, have been extended benefit of bail but the petitioner cannot be stated to be at parity. Co-accused Sarabjit Singh @ Hira from whom recovery had been effected remained in custody for a period of over 02 years and it was by taking into consideration his prolonged incarceration, he had been extended benefit of bail.

7. Taking into consideration the nature of allegations as levelled against the petitioner, the extent of his involvement, the quantum of sentence which the conviction may entail and the attendant facts and

circumstances, this Court is of the considered view that the petitioner does not deserve to be extended the benefit of bail at this stage. As such, finding no compelling ground to grant bail to the petitioner, the petition is dismissed.

8. It is clarified that the observations made above shall not be construed as an expression of opinion of this Court on the merits of the case and shall not influence the outcome of the trial in any manner.

9. Since the main petition has already been decided, pending application, if any, is rendered infructuous.

**(MANISHA BATRA)**  
**JUDGE**

**30.03.2026**

*harjeet*

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|-----------------------------|--------|
| Whether speaking/reasoned : | Yes/No |
| Whether reportable :        | Yes/No |