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

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CRM-M-4634-2026
Date of decision: 17.04.2026

VARUN SAINI ALIAS BABLU

.....PETITIONER

Versus

STATE OF PUNJAB

. RESPONDENT

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present: Mr. Munish Puri, Advocate
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

SURYA PARTAP SINGH, J.

1. This petition for bail is the first petition, filed by the petitioner under Section 483 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. This petition has been filed with regard to a case arising out of FIR No.0066 dated 18.11.2024 for the commission of offence punishable under Sections 10, 11, 12 of Aircraft Act, 1934 and Section 21 of Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station Narot Jaimal Singh, District Pathankot.

2. Briefly stating the facts emerging from record are that the FIR of



this case came into being at the instance of ASI Vijay Kumar. It was reported by the above-named police officer that on 18.11.2024, he was leading a team of police officials deputed for patrolling duty. As per above-named police officer during the course of patrolling, he received a tip-off from a reliable source that some narcotic substance had been dropped through drones. According to above-named police officer on the basis of above-mentioned tip-off when they launched a search in the area disclosed by the informer that they recovered two packets containing 1 kg 112 grams of Heroin.

3. It is the case of the prosecution that pursuant to above-mentioned recovery of contraband, requisite formalities with regard to seizure and sealing of contraband and registration of FIR were completed and further investigation taken up. As per prosecution during the course of investigation the accused 'Jatinder Kumar @ Kali' was arrested and on interrogation he suffered a disclosure statement, wherein he revealed the name of 'Varun Saini @ Bablu' (petitioner herein) and 'Rahul Saini' as his associates. As per prosecution it was told by the above-named accused 'Jatinder Kumar @ Kali' that they were in contact of a person named 'Pathan' in Pakistan, who used to supply Heroin from Pakistan, by dropping packets through drones.

4. Heard.

5. It has been contended by learned counsel for the petitioner that the petitioner is innocent, having no nexus, whatsoever with the commission crime. According to learned counsel for the petitioner prior to registration of FIR in the present case, there was no case pending against the petitioner, but after being arrested in the present case, he has been implicated in five other cases. The learned counsel for the petitioner has also contended that the only



evidence collected against the petitioner is the disclosure statement of co-accused, which is inadmissible in evidence. In support of his arguments the learned counsel for the petitioner has referred to the principles of law laid down by Hon'ble Supreme Court of India in the case of 'Jugraj Singh Vs. State of Punjab' Criminal Appeal No.3640 of 2025.

6. The above-mentioned arguments have been controverted by learned State counsel. It has been contended by learned State counsel that the instant case is not a simpliciter case, wherein except the disclosure statement of co-accused, there is no evidence against the petitioner. According to learned State counsel the mobile phone of co-accused 'Jatinder Kumar @ Kali' has been examined in 'Forensic Science Laboratory' and it has been revealed that the above-named co-accused was in constant touch with the present petitioner and they exchanged more than 350 calls with each other.

7. It has also been contended by learned State counsel that the petitioner does not have clean antecedents as he has been implicated in five other cases of similar nature and that the quantity of contraband recovered in the present case invites the rigours of Section 37 of NDPS Act. According to learned State counsel the present case is a case of different nature, having international implications, as foreign national are involved in dropping/smuggling of large quantity of narcotic substance. It has also been contended by learned State counsel that the exchange of 350 calls between the prime accused 'Jatinder Kumar @ Kali' and the present petitioner, who has been using the mobile phone of his wife, speaks in volumes about his direct link with the commission of crime.

8. The record has been perused carefully.



9. A perusal of record shows that in the present case, following are the factors which are required to be taken into consideration for a decision: -

- i) that the recovery of contraband in the present case is 1 kg 112 grams of Heroine;
- ii) that the instant case is not a simpliciter case, wherein the only evidence, collected against the petitioner, is the disclosure statement of co-accused. Rather the disclosure statement of co-accused is supported with call details record;
- iii) that in addition to above, the location of mobile phone of the petitioner at the same place from where contraband was recovered, further augments the allegations of the prosecution qua the involvement of petitioner in the commission of crime;
- iv) that the petitioner does not have clean antecedent. Although prior to filing of present FIR, the petitioner was not named in any other case, but during the course of investigation, on his interrogation, it has been found that petitioner was involved in similar type of five other cases also.
- v) that the custody period of petitioner is not large enough which can lead to an inference that the petitioner is being subjected to unjustified prolonged incarceration due to delay in trial.

10. Taking into consideration the cumulative effect of all the above-mentioned factors, it is hereby observed that the fact situation being altogether



different the principles of law laid down in the case of Jugraj Singh (supra) are not applicable to the instant case. In my opinion the petitioner is not entitled for the benefit of bail and the present petition being devoid of merit deserves dismissal.

11 As a sequel to above-mentioned observations, the present petition is hereby **dismissed**, accordingly.

(SURYA PARTAP SINGH)
JUDGE

17.04.2026

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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No