



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

**206**

**CRM-M-11953-2026(O&M)**

**Date of decision: 30.04.2026**

Jonny Masih

...Petitioner

VERSUS

State of Punjab

...Respondent

**CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**

Present :- Mr. Sachmeet Singh Randhawa, Advocate for the petitioner.

Dr. (Ms.) Savi Nagpal, AAG, Punjab.

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**VINOD S. BHARDWAJ, J. (Oral)**

The instant first petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in case bearing FIR No.0011 dated 02.02.2025 registered under Sections 21(c), 23 & 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Sections 10, 11 & 12 of the Aircraft Act, 1934 at Police Station Kalanaur, District Gurdaspur.

2. Succinctly, the facts of the case are that on 01.02.2025, BSF officials heard a humming sound of drone at Border Outpost Chanduwadala. The said officials swung into action and upon conducting a search, they apprehended two persons namely Sukhwinder Singh @ Sukhi and Amandeep Singh @ Gora (co-accused) working in the field of Harbhajan Singh. Consequently, a search of both these persons was effected, which resulted in the recovery of one packet of heroin weighing 550 grams along with 2 mobile phones. Upon further search of the area, one black Hero Splendor motorcycle, bearing registration No.PB-02- BV-6122 was also recovered. Subsequently, the police officials were informed and FIR (supra) was registered against abovesaid co-accused.

3. Learned Counsel appearing on behalf of the petitioner contends that the petitioner has been nominated as accused on the basis of disclosure statement of co-accused Surat Singh and that no recovery has been effected from the petitioner. He further contends that the petitioner is in custody since 16.10.2025 and that there are total 21 witnesses cited by the prosecution, out of which only one has been examined so far and as such conclusion of trial shall take long. It is further submitted that co-accused Sakattar Singh (petitioner in CRM-M-29287-2025) and Surat Singh (petitioner in CRM-M-22849-2025), on whose disclosure, subsequent chain of linkages was established and petitioner was nominated as an accused, have already been granted concession of regular bail by this Court vide order dated 31.07.2025.

4. Learned State Counsel contends that investigation revealed that one Sakattar Singh was the person who used to manage procurement and further sale of the contraband. The said Sakattar Singh had got issued SIM cards in his name and handed over mobile phones to Amandeep Singh and Sukhwinder Singh. Amandeep Singh and Sukhwinder Singh used to share their location with Sakattar Singh which such location was forwarded by Sakattar Singh (as per his disclosure) to one Gurlal who was sitting abroad. As per the case of the prosecution, the said Gurlal (who is stated to be abroad and not in custody) used to share the location received from Amandeep Singh and Sukhwinder Singh via Sakattar Singh to a handler in Pakistan, who would then effect the delivery at the shared location wherefrom Amandeep Singh and Sukhwinder Singh used to pickup the delivery/consignment. She contends that Sakattar Singh also named Surat Singh to be the person to whom the contraband seized from Amandeep Singh and Sukhwinder Singh was to be sold. Said Surat Singh was arrested on 12.03.2025, who further nominated the

petitioner Jonny Masih herein to be the person to whom the said consignment was to be delivered after its receipt.

5. A specific question has been put to the respondent/State as to whether there is any evidence apart from the disclosure statement of Sakattar Singh about the contraband to be sold to Surat Singh and as would establish their link inter se. State Counsel is not in a position to refer to any evidence at this stage. A further question is put to the State Counsel as to whether there is evidence apart from the disclosure of Surat Singh to the effect that the contraband to be received by him was thereafter to be supplied to Jonny Masih-petitioner herein. She is not in a position to refer to any material apart from the disclosure statement of Surat Singh to corroborate her submission. She however does not dispute the fact that no recovery has been effected from the petitioner in the present case and that as per the investigation conducted so far, the petitioner was the eventual recipient of the contraband through the aforesaid channel. The period of custody as well as the stage of trial are also not disputed.

6. I have heard learned counsel appearing on behalf of the respective parties and have gone through the documents appended along with the present petition.

7. Taking into consideration the period of custody already undergone by the petitioner, the nature of allegations levelled against him, the failure of State Counsel to make any reference as regards the link as would prima facie establish the participation of the petitioner in commission of the offence apart from the disclosure statement of Surat Singh (at this stage) as well as the stage of trial coupled with the fact that co-accused of the petitioners i.e. Sakattar Singh and Surat Singh, on whose disclosure subsequent chain of linkages has

been established and petitioner has been nominated as an accused, have already been granted concession of regular bail by this Court, I deem it appropriate to allow the present petition.

8. The instant petition is *allowed* and the petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

9. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

10. The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

11. Pending application(s), if any, shall stand disposed of.

30.04.2026

Sumit Gusain

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

(VINOD S. BHARDWAJ)  
JUDGE