



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

Sr. No.212

CRM-M-14489-2026
Date of Decision: 12.05.2026

PRABHJIT SINGH @ PRABH**...Petitioner****Versus****STATE OF PUNJAB****....Respondent****CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU**

Present:- Mr. Harmanpreet Singh, Advocate
for the petitioner.

Mr. Hardeep Hans, AAG, Punjab.

MANDEEP PANNU, J. (Oral)

1. This is the first petition under Section 483 of BNSS (Section 439 Cr.P.C.) for grant of Regular Bail to the Petitioner in case FIR No. 153 dated 25.09.2025 under Sections 21, 27-A, 29 of the Narcotic Drugs & Psychotropic Substances Act, 1985 registered at Police Station Chattiwind District Amritsar Rural.

2. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. It is further submitted that the petitioner was arrayed as an accused in the instant FIR solely on the basis of the disclosure statement made by co-accused Harjinder Singh @ Jinder, from whose possession, the alleged contraband i.e. 08 grams of heroin and Rs. 300/- as drug money was recovered. It is also submitted that the petitioner has been in custody for a period of 03 months and 20 days and



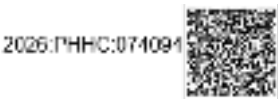
no useful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

3. On the other hand, learned State counsel has produced the custody certificate of the petitioner today in Court alongwith status report, which is taken on record. He has opposed the grant of bail on the ground that the petitioner is the supplier of the alleged contraband.

4. I have considered the rival submissions and perused the material available on record. Admittedly, no recovery has been effected from the petitioner and his name has surfaced only on the basis of disclosure statement of co-accused Harjinder Singh @ Jinder. Even otherwise, the recovery allegedly effected from the co-accused is of intermediate quantity. The petitioner has remained in custody for a period of 03 months and 20 days and the trial is likely to take some time to conclude. Moreover, the petitioner is a man of clean antecedents as he is not involved in any other case.

5. The evidentiary value of a disclosure statement of a co-accused, in the absence of recovery or corroboration, is weak in view of the settled position of law laid down by the Hon'ble Supreme Court in '***Vijay Singh vs. The State of Haryana***', bearing ***Special Leave to Appeal (Crl.) No.(s) 1266/2023 decided on 17.05.2023***' has held as under:

"The petitioner is alleged to have committed offences under Sections 15 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter called the NDPS Act)". His application for anticipatory bail was rejected by the High Court. The allegations in the FIR are that 1.7 Kg of Poppy Straw (Doda Post) was recovered from the co-accused. The petitioner concededly was not present at the spot but was named by the co-



accused. That apart there is no other material to implicate the petitioner. The prosecution urges that another case with allegations of commission of offence under the NDPS Act are pending against the petitioner. It is not denied that in those proceedings he was granted bail. Having regard to these circumstances, the petitioner is directed to the enlarged on anticipatory bail, subject to such terms and conditions as the trial Court may impose. The petition is allowed.”

6. Without commenting on the merits of the case and keeping in view the overall facts and circumstances, this Court is of the opinion that the petitioner has made out a case for grant of regular bail.
7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.
8. However, it is made clear that nothing stated hereinabove shall be construed as an expression on the merits of the case.
9. All the pending miscellaneous application(s), if any, stands disposed of.

12.05.2026
Anu

(MANDEEP PANNU)
JUDGE

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