



CRM-M-15858-2026

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

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CRM-M-15858-2026
Date of decision : 17.04.2026

AMANDEEP SINGH

... PETITIONER

Versus

STATE OF PUNJAB

.. RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. K.S. Sidhu, Advocate for the petitioner.

Mr. Rohit Hans, DAG, Punjab.

H.S. Grewal, J.(Oral)

1. This petition has been filed by the petitioner seeking regular bail under Section 483 BNSS, 2023, in case FIR No.130 dated 23.05.2025 under Sections 21(c)/29 of NDPS Act registered at Police Station Sadar Fazilka, District Fazilka, Punjab.
2. The case of the prosecution is that co-accused Mohit and Malkit Singh were travelling on a motorcycle and were apprehended on the basis of suspicion. Upon checking of their bags, recovery of 1 Kg 25 gms of heroin (commercial quantity) was allegedly effected from them. The petitioner was nominated as an accused on the basis of an alleged transaction of Rs.99,000/- made from the bank account of his wife to co-accused Malkit Singh.
3. Learned counsel for the petitioner submits that the petitioner was neither named in the FIR nor was he challaned initially. It is submitted that after a lapse of one month from the filing of the challan, the petitioner has been



falsely implicated in the present case solely on the basis of an alleged transaction of ₹99,000/- between his wife and co-accused Malkit Singh. It is further submitted that no recovery of contraband has been effected from the petitioner and there is no incriminating material on record to connect him with the alleged offence. Moreover, the disclosure statement allegedly suffered by the petitioner while in police custody cannot be relied upon or treated as admissible evidence against him unless the same is supported and corroborated by cogent and independent evidence. It is also submitted that the petitioner is in custody for the last more than 04 months and 06 days and is not involved in any other case. He, therefore, prays for release of the petitioner on regular bail as the trial is likely to take a long time as challan is yet to be presented against the petitioner.

4. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner. He has filed reply by way of an affidavit of Deputy Superintendent of Police, Sub-Division, Fazilka and the custody certificate in Court, which are taken on record. As per the custody certificate, the petitioner is in custody for the last more than 04 months and 06 days. He, upon instructions, submits that challan is yet to be presented against the petitioner.

5. I have heard the learned counsel for the parties and perused the record.

6. A perusal of the aforesaid reply does not indicate or establish as to how the alleged transaction in the bank account of the petitioner's wife, namely Amanpreet Kaur, which is stated to be operated by the petitioner, has any connection with the alleged recovery effected from co-accused Malkit Singh.

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Furthermore, the disclosure statement allegedly suffered by the petitioner after his arrest cannot be treated as independent evidence against him unless the same is duly supported and corroborated by cogent and reliable evidence.

7. In view of the above submissions of learned counsel for the parties and keeping in view the facts that the petitioner is in custody for the last more than 04 months and 06 days, he is not involved in any other case and that the trial is likely to take a long time because challan is yet to be presented against him, therefore, this Court deems it appropriate to grant the concession of regular bail to the petitioner during the pendency of the trial as the continuous detention of the petitioner would not serve the ends of justice.

8. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. However, it is made clear that in case the petitioner misuses the concession of bail, the State/complainant/injured would be at liberty to seek cancellation of his bail.

April 17, 2026
Sonia

(H.S.GREWAL)
JUDGE

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