

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

2026:PHHC:065210



CRM-M-16714-2026 (O&M)

Jobanjeet Singh @ Joban

...Petitioner

Versus

State of Punjab

...Respondent

Sr. No.	Particulars	Details
1	The date when the judgment is reserved	28.04.2026
2	The date when the judgment is pronounced	29.04.2026
3	The date when the judgment is uploaded on the website	29.04.2026
4	Whether only operative part of the judgment is pronounced or full judgment is pronounced	Full
5	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Rajveer Singh Brar, Advocate
for the petitioner.

Mr. Durgesh Garg, AAG, Punjab.

MANISHA BATRA, J.

- Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 329 dated 28.12.2025, registered under Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station ANTF, District SAS Nagar.
- Brief facts of the case relevant for the disposal of the present petition are that on 28.12.2025, on the basis of a secret information, co-accused

Gurpreet Singh @ Gori and Sarabjeet Singh were apprehended by a police party. On conducting personal search of co-accused Gurpreet Singh @ Gori, recovery of 505 grams of heroin was effected from a polythene bag which he had kept in the pocket of his jacket. Both of them were formally arrested. On interrogation, co-accused Sarabjeet Singh disclosed that the recovered contraband had been purchased from the present petitioner, who was also nominated as accused in this case and was arrested on the same day i. 28.12.2025. Investigation is still going on.

3. It is argued by learned counsel for the petitioner that he was neither found at the spot nor was named in the FIR. He has been nominated in this case on the basis of the disclosure statement suffered by the co-accused, which cannot be considered to be admissible in evidence. No subsequent recovery has been effected from him. He has clean antecedents. There is nothing on record to show that the petitioner was involved in the subject crime in any manner with the co-accused. Investigation is not yet complete. Completion of investigation, presentation of challan and then conclusion of trial would obviously take time. He has been in custody since 28.12.2025. No useful purpose would be served by keeping him in custody anymore. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Status report along with the custody certificate of the petitioner has been filed by the respondent-State. Learned State counsel has argued that keeping in view the gravity of the allegations levelled against the petitioner as well as the fact that commercial quantity of the contraband has been recovered in this case, he is not entitled to get benefit of bail as Section 37 of the NDPS Act would be attracted in this case. It is, thus, argued that the petition is liable

to be dismissed.

5. This Court has heard the rival submissions.

6. The petitioner is alleged to have sold the recovered contraband to the abovenamed co-accused. Admittedly, the petitioner has been nominated in this case on the basis of the disclosure statement suffered by the said co-accused. However, it is significant to note that the investigation is still underway. The matter is at a nascent stage and the possibility of further recoveries as well as unearthing of more definite role of the petitioner cannot be ruled out. In such a situation, any premature assessment of the material on record may prejudice the ongoing investigation. Furthermore, the allegations against the petitioner are of a serious nature and the manner in which the prosecution case unfolds during the course of investigation will have a direct bearing on the culpability, if any, of the petitioner. Even otherwise, keeping in view the stringent provisions of the NDPS Act, the custody undergone by the petitioner cannot be termed as prolonged. In view of the aforesaid circumstances, this Court is of the considered opinion that it would not be appropriate to enlarge the petitioner on bail at this juncture. Accordingly, the present petition stands dismissed.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

29.04.2026

Waseem R. Ansari

**(MANISHA BATRA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No