

2026.PHHC.057967



CRM-M-19422-2026

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

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CRM-M-19422-2026 (O & M)

Date of decision: 17.04.2026

AMARJEET SINGH ALIAS MP

....Petitioner

Versus

STATE OF PUNJAB

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Ruhani Chadha, Advocate,
for the petitioner.

Mr. Manipal Singh Atwal, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. The present petition has been filed under Section 483 of BNSS for the grant of regular bail to the petitioner in case FIR No.98 dated 13.07.2025, registered at Police Station Mamdot, District Ferozepur, under Sections 21 and 29 NDPS Act, 1985, Sections 11 and 12 of the Aircraft Act, 1934 and Section 238 BNS (added later on).

2. Learned counsel contends that the petitioner is in custody for the last 9 months and 1 day. He alleges false implication. His name surfaced based on disclosure statement of co-accused, Jaswinder Singh, from whom recovery of 1.798 kgs. of heroin was effected. As per the said statements, Annexures P-3 and P-4, the petitioner is stated to have got the contraband sent to him, while he was in custody at that time and was

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granted bail only on 13.10.2025, Annexure P-6, and there is no recovery of any phone also effected from him after having been arrested on production warrant. Charges have been framed on 17.02.2026, however none out of 15 PWs has been examined. He was in custody while implicated in 2 other cases, wherein he is on bail. Reliance is placed on the judgment of Hon'ble the Supreme Court in **Maulana Mohd. Amir Rashadi vs. State of U.P. and others**, 2012(2) SCC 382.

3. Learned State counsel opposes the bail on the ground that commercial quantity of contraband was recovered from the co-accused Jaswinder Singh, who stated that it was the petitioner on whose assistance the same was got delivered to him. He is, however, unable to controvert the submissions with regard to stage of the trial and petitioner being on bail in other cases.

4. Heard.

5. Hon'ble The Supreme Court in the case of **Maulana Mohd. Amir Rashadi** (Supra) had held that, "As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court, etc."

6. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 9 months and 1 day; on bail in other cases; charges stand framed on 17.02.2026; prosecution

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evidence has to commence; in all there are 15 PWs; trial is likely to take a considerable time, thus his further incarceration would not serve any useful purpose, the present petition for grant of regular bail deserves to be allowed.

7. As a result, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned and subject to his not being required in any other case. The petitioner shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number to the Trial Court forthwith and shall not change the same till the conclusion of the trial and in case for any reason, the petitioner seeks to change any of the aforesaid, the same shall be done only with prior intimation to the learned Trial Court, stating the reason for the same.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.

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- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

9. In view of the above, it is clarified that the observations made herein are limited for the purpose of present proceedings and would not be construed as an opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

17.04.2026

parveen kumar

(AMAN CHAUDHARY)
JUDGE

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