



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-17197-2026
Date of decision: 07.04.2026

GURJEET SINGH @ GURJIT SINGHPetitioner

VERSUS

STATE OF PUNJABRespondents

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

Present: - Mr. Gursimran S. Bawa, Advocate
for the petitioner.

Dr. (Ms.) Savi Nagpal, Asst. A.G. Punjab.

VINOD S. BHARDWAJ, J. (Oral)

1. The instant petition has been filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail in case bearing FIR No. 72 dated 24.12.2024 registered under Section 25 of the Arms Act, 1959 and Section 61(2) of BNS, 2023 (Subsequently Sections 21, 25 and 29 of NDPS Act, 1985 and Sections 25(1A)/25(1B) of Arms Act added) at Police Station State Special Operations Cell, District Amritsar.
2. Learned Counsel appearing on behalf of the petitioner contends that as per the case of the prosecution, the Police had received secret information that Gurjeet Singh @ Gurjit Singh (petitioner herein) alongwith Rajwinder Singh @ Raja and Manjit Singh @ Dhuri were regularly in-touch with Pakistani smugglers and were indulging in cross-border smuggling of heroin and weapons. On receipt of the information, Manjit Singh @ Dhui was arrested on 24.12.2024 and 9 mm pistol along with a magazine and 04

live cartridges were recovered. The petitioner Gurjeet Singh @ Gurjit Singh herein was also arrested on 24.12.2024 with another pistol of .30 bore alongwith 10 live cartridges. It is further the case of the prosecution that pursuant to disclosure statement suffered by the petitioner Gurjeet Singh @ Gurjit Singh on 30.12.2024, 516 grams of heroin (commercial quantity) was also recovered which was hidden under the bushes near the drain of village Mahawa.

3. Counsel contends the petitioner was neither named in the secret information nor any allegation was leveled against him. He further contends that the recovery in question was effected after the petitioner had already been in custody and the disclosure statement was recorded while he was in custody. Hence, the said disclosure is inadmissible. He further contends that the other co-accused of the petitioner have already been granted concession of regular bail. It is argued vehemently that the petitioner has clean antecedents. It is submitted that the investigation in the case is already complete and that the charge sheet has already been filed, however, the trial has yet not commenced and conclusion thereof shall take long time.

4. Learned State Counsel on the other hand contends that the petitioner was specifically named in the secret information to be in contact with the smugglers based in Pakistan and indulging in the trade of illegal arms as well as Narcotics and that .03 bore pistol alongwith 10 live cartridges was recovered from the petitioner on the date of his arrest and later 516 grams of Heroin was also recovered at the disclosure of the petitioner herein. The said recovered quantity falls under commercial category. It is submitted that the case of the petitioner is not at par with the other co-accused who have been granted concession of bail by this Court

viz. Rajan @ Raja @ Goli or co-accused Rahul @ Kaka since they were not named in the FIR nor any recovery had been effected from them. It is further submitted that so far as Manjit Singh @ Dhui is concerned, the recovery from him was only of the glock pistol 9mm with live 04 live cartridges. Thus, the recovery under the NDPS Act had not been effected from the said co-accused and the substantive charge *prima facie* is that of the Arms Act.

5. I have heard learned Counsel appearing on behalf of the respective parties and have gone through the documents appended alongwith the present petition.

6. The petitioner had been arrested in December, 2024. 516 grams of Heroin which is commercial quantity alongwith .03 bore pistol and live cartridges had been recovered from the petitioner. He has not been able to tender any explanation as to the source of the said contraband as well as the weapon. It is also not in dispute that the contraband was concealed and had been recovered at the disclosure of the petitioner himself. The disclosure, to the extent of recovery or discovery of any effect pursuant thereto becomes admissible in evidence. The said recovery having been concealed, cannot be attributed to be common knowledge. Consequently, this Court finds no *prima facie* reason on the basis whereof it may be held that the petitioner has no connection with the offence in question and that recovery in question cannot be linked to him. Consequently, the present petition is dismissed.

APRIL 07, 2026
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No