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

CRM-M-19024-2026

Date of decision : 29.04.2026

Sajan Singh

....Petitioner

versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

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

Mr. Raj Karan Singh, A.A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present second petition has been filed by the petitioner praying for grant of regular bail in case FIR No.0164 dated 28.07.2025, under Sections 105 and Section 3(5) of BNS and Sections 27, 29 of NDPS Act added lateron, registered at Police Station Sadar, Bathinda.

2. As per the facts of the case, the FIR was lodged on the statement of complainant, namely, Roshan Singh. It was alleged that son of complainant, namely, Sandeep Singh was was habitual of taking drugs. Complainant used to stop him from doing so. It was alleged that his son used to consume heroin usually after purchasing the same from Bir Talab, Basti No.2. It was alleged that on 15.6.2025, his son Sandeep Singh had gone in search of work towards Basti No.2 but he did not turn back and thus, they started searching him. It was alleged that on 16.6.2025, his body was found in the mortuary of the Civil Hospital, Bathinda on which proceedings under Section 194 of the BNS was conducted and his postmortem was also done. It was alleged that they on inquiry, it came to their knowledge that on 15.6.2025, son of the complainant went to village



went to Bir Talab, Basti No.2, where Jagjit Singh mortgaged the motorcycle of his son to Sajan Singh (present petitioner) and purchased heroin and they consumed the heroin in cremation ground, where his son got unconscious. It was alleged that Jagjit Singh left Sandeep Singh, in the ground. It was alleged that complainant is sure that his son has been killed by Jagjit Singh and Sajan Singh by administering him heroin and thus, the request was made to take the legal action against the accused persons. On registration of FIR, investigation commenced and The petitioner was arrested on 28.07.2025 i.e. after 13 days of the alleged occurrence. On completion of investigation, challan was presented. On framing of charges, the trial commenced. The petitioner approached the learned Additional Sessions Judge, Bathinda, praying for grant of bail, however, finding no merit, the same was declined after hearing both the sides by Learned trial Court vide order dated 10.09.2025. Aggrieved by the same, the petitioner earlier approached this Court by way of filing of CRM-M-59016-2025, however, the same was dismissed as withdrawn on 19.02.2026. Hence, the petitioner is before this Court praying for grant of bail by way of filing of present second petition.

3. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case. He submits that the FIR in the present case has been lodged after an unexplained delay of 13 days. He submits that though the earlier petition was withdrawn on 19.02.2026, however, thereafter similarly situated co-accused, namely, Jagjit Singh has been granted the concession of bail by learned trial Court. He submits that case of the petitioner is not distinguishable from that of co-accused Jagjit Singh. He submits that though the petitioner has been falsely implicated in 04 more case, however, he is on bail in those cases.



He submits that only 02 witnesses out of total 15 prosecution witnesses have been examined till date. He, thus, submits that the petitioner deserves to be granted bail.

4. Per contra, learned State counsel has also opposed the submissions made by counsel for the petitioner and submits that the case of the petitioner is distinguishable from that of co-accused, namely, Jagjit Singh, who has been granted the concession of bail by learned trial Court. He, on instructions, has submitted that out of total 15 prosecution witnesses, 02 witnesses have been examined so far. He has produced on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that co-accused, namely, Jagjit Singh was allegedly consuming drugs along with the deceased, whereas the petitioner was alleged to be the supplier of the drugs. The custody certificate produced would show that the petitioner has suffered an incarceration of 08 months and 21 days as on 28.04.2026. It further reflects that the petitioner is involved in 04 more cases, however, in 03 cases, he is on bail. Out of total 15 prosecution witnesses, 02 witnesses have been examined so far. Complainant already stands examined.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

7. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for the grant of bail to the petitioner. Accordingly, present petition is allowed and



petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

8. In case the bail bonds are not furnished by the petitioner during the period of 07 days from today, then his further custody period after one week will not be counted in the present case.

29.04.2026
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(RAJESH BHARDWAJ)
JUDGE

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