



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

218

1)

CRM-M-25307-2025
Decided on : 09.02.2026

Nishan Singh @ Soni

. . . Petitioner(s)

Versus

Union Territory, Chandigarh

. . . Respondent(s)

2)

CRM-M-71162-2025

Lovepreet Singh

. . . Petitioner(s)

Versus

State of U.T., Chandigarh

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Jashandeep Singh Sandhu, Advocate,
for the petitioner(s) (in CRM-M-25307-2025).

Mr. Vipul Jindal, Advocate
for the petitioner(s) (in CRM-M-71162-2025).

Mr. Manish Bansal, Public Prosecutor, UT Chandigarh.

SANJAY VASHISTH, J. (Oral)

1. This order shall dispose of CRM-M-25307-2025 & CRM-M-71162-2025, as both the petitions are interconnected and have arisen out of same FIR. However, the lead case is CRM-M-25307-2025.

2. The instant petitions have been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioners, during the pendency of trial, who have been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Nishan Singh @ Soni (petitioner in CRM-M-25307-2025)	0004	29.03.2024	21, 29 of NDPS Act, 1985	ANTF, Sector 11	Chandigarh
Lovepreet Singh (petitioner in CRM-M-71162-2025)	0004	29.03.2024	21, 29 of NDPS Act, 1985 & Section 201 of IPC	ANTF, Sector 11	Chandigarh

3. A few facts necessary for adjudication of the cases may be noticed.

As per the allegations recorded in the FIR, on 28.03.2024 at around 11:45 PM, a secret informant gave information that the accused, namely, Vikramjeet Singh @ Vicky and a woman, namely, Avneet Kaur, were travelling in a Glanza car bearing No. PB65-AB-0880 and were involved in the supply of 'heroin' in Chandigarh and the Tri-city area, and that if apprehended on that day, a huge quantity of heroin could be recovered from them. Thereafter, at about 1:00 AM, the aforesaid car was found parked in the parking area near the lake, where both the aforementioned accused were apprehended by the police team. Upon searching the car, 1.012 kg of heroin was recovered from behind the music system installed in the said car.

Further, during the course of investigation, a disclosure statement of the arrested accused – Vikramjit Singh @ Vicky was recorded on 29.03.2024 while he was in custody, and on the basis thereof, two more persons, namely Gurjot Singh and Joga Singh, were arrested in the case. When accused Gurjot Singh was arrested, one Endeavour car and one Audi car, along with Rs.4,50,000/- alleged to be drug money, were recovered from his possession. Besides, two mobile phones were also recovered.

Thereafter, on 31.03.2024, accused – Lovepreet Singh (petitioner in CRM-M-71162-2025) was implicated as accused in the case and while refining the allegations, it was stated that, in fact, Gurjot Singh, who had been arrested from Ludhiana on 29.03.2024, was the person who disclosed Lovepreet Singh's name, from whose possession 502 grams of heroin were recovered from a rented Flat No.503, Wembley Society, Sector 91, Mohali, Punjab.

During further investigation, a disclosure statement of accused Lovepreet Singh (petitioner in CRM-M-71162-2025) was recorded, wherein he named petitioner – Nishan Singh @ Soni (in CRM-M-25307-2025) as an accused, alleging him to be the supplier of 502 grams of heroin to petitioner – Lovepreet Singh. However, when Nishan Singh @ Soni was arrested on 05.04.2024, nothing was recovered from his possession.

4. Learned counsel for both the petitioners jointly, submit that, a false case has been planted upon the petitioners – Lovepreet Singh and Nishan Singh @ Soni. It is argued that when ASI Baljeet Singh arrested accused – Gurjot Singh in Ludhiana, the record failed to clarify how he was identified or at whose instance he was named as an accused, especially since he was originally mentioned in the disclosure statement of the main accused – Vikramjit Singh @ Vicky. Thus, it broadly appears to be a case of false implication of the person who was shown to have been arrested in Ludhiana by ASI Baljeet Singh and subsequently named as Gurjot Singh without any proper identification, though he was earlier arrested on 29.03.2024.

It is further argued that since, the recovery of 502 grams of heroin has allegedly been effected from a rented accommodation situated in Mohali, Punjab, therefore, the same cannot be made subject matter of trial before the UT Courts at Chandigarh.

The second limb of argument raised by learned counsel for the petitioners is that, in order to make the recovery appear credible, no investigation has been conducted to ascertain as to who was the owner of the flat from where the alleged recovery of narcotic contraband was effected, nor the owner was joined in the investigation.

5. Mr. Jashandeep Singh Sandhu, learned counsel for the petitioner

– Nishan Singh @ Soni, submits that his involvement is only on the basis of disclosure statement of accused – Lovepreet Singh, whereas no contraband has been recovered from his possession.

It is further jointly pointed out by learned counsel for both the petitioners that, petitioner – Lovepreet Singh is in custody for more than 01 year and 10 months, while petitioner – Nishan Singh @ Soni is in custody for about 09 months and 08 days. It is contended that the trial is not progressing at the required pace, as out of total 41 prosecution witnesses cited, only one witness has been examined so far. Therefore, without proof of charges, the petitioners are not required to be detained in the custody for a longer period. Hence, learned counsel pray for grant of concession of regular bail to the petitioners.

6. On the other hand, learned Public Prosecutor, UT Chandigarh, while opposing the prayer for bail, submits that huge recovery has been effected in the present case, i.e. at the first instance 1.012 kg of heroin from the car occupied by accused – Vikramjit Singh @ Vicky and Avneet Kaur, and, thereafter, at the second instance 502 grams of heroin from the rented accommodation situated in Mohali at the instance of petitioner – Lovepreet Singh. One more accused Deepak was also arrested on the basis of disclosure statement of accused/petitioner namely Lovepreet Singh, from whose possession 2 kg of heroin was recovered. Thus, it is submitted that taking note of the total quantity recovered, which falls under the commercial category, the petitioners do not deserve the concession of bail. However, the other factual assertions raised by learned counsel for the petitioners have not been seriously disputed.

7. Having heard learned counsel for the parties and perusing the

record, it is noticed that no satisfactory explanation could be given as to how petitioner – Lovepreet Singh, who was arrested from Ludhiana by ASI Baljeet Singh, was identified as the same person whose name was disclosed as ‘Gurjot Singh’ by the main accused – Vikramjit Singh @ Vicky. Though an attempt has been made to explain that after apprehension of the accused – Gurjot Singh, a video call was made and thereupon accused – Vikramjit Singh @ Vicky identified the arrested person to be ‘Gurjot Singh’, however, whether such explanation is probable or not is a matter to be adjudicated by the trial Court. No final opinion is being expressed on this aspect.

As far as recovery of 502 grams of heroin from a rented flat situated in Mohali (Punjab) is concerned, the question as to whether the said recovery can be treated as case property in the present FIR and whether the same is triable by the Courts at Chandigarh, particularly in the absence of joining the owner of the rented flat in investigation, is also left open to be determined by the trial Court.

Besides, as of now, out of total 41 prosecution witnesses cited, only one witness has been examined, which shows that the trial is proceeding at a very slow pace.

8. Further, as per the status report dated 24.06.2025 filed in CRM-M-25307-2025, petitioner – Nishan Singh @ Soni has been shown to be involved in the following cases:-

- (i) FIR No.22 Dated 20.01.2016, registered under section 21 of NDPS act, Police Station Sadar, District Ferozepur.
- (ii) FIR No.53 Dated 26.04.2017, registered under section 307, 324, 323, 341, 427, 506, 148 and 149 of IPC 1860, Section 25, 27, 54, 59-A of Arms Act, Police Station

Kulgarhi, District Ferozepur.

- (iii) FIR No.123 Dated 09.09.2017, registered under section 302, 307, 364, 452, 506, 323, 148 and 149 of IPC 1860, Section 25, 54, 59 of Arms Act, Police, Police Station Kulgarhi, District Ferozepur.
- (iv) FIR No.22 Dated 2017, registered under section 8, 21, 25, 29 of NDPS act, Police Station Gajsinghpur, District Sri Ganganagar.
- (v) FIR No.312 Dated 06.08.2022, registered under section 21(b), 29 of NDPS act, section 353 and 186 Of IPC and Section 42 and 52-A of Prison Act, Police Station City Faridkot, District Faridkot.
- (vi) FIR No.156 Dated 17.10.2024, Police Station Special Task Force, Sector 49, Mohali.
- (vii) FIR No.328 Dated 2022, registered under section 42 and 52-A of Prisons Act, Police Station City Faridkot, District Faridkot.

At this stage, learned counsel for the petitioner has clarified that in cases mentioned at Sr. Nos. (i), (iv) and (v), the petitioner has already been discharged by the competent Court, and in respect of case at Sr. No. (vii), he has been declared innocent. Thus, at present, the petitioner is facing trial only in the cases mentioned at Sr. Nos. (ii) and (iii), in which he was implicated while already in custody in the present case.

Thus, learned counsel for petitioner – Nishan Singh @ Soni has attempted to probalilise that the petitioner has been falsely implicated in

various cases and possibility of his false implication in the present case cannot be ruled out.

9. After considering the facts and circumstances of the present cases, the submissions made on behalf of the parties, and the admitted position that nothing has been recovered from the possession of petitioner – Nishan Singh @ Soni, and further considering that he is in custody for about 09 months and 08 days, and petitioner – Lovepreet Singh is in custody since 29.03.2024, this Court is of the view that continued incarceration of the petitioners is not justified at this stage.

Keeping in view the period of custody already undergone, the age and antecedents of the petitioners, and the slow pace of trial, this Court is satisfied that the rigours of Section 37 of the NDPS Act stand satisfied to a limited extent for the purpose of grant of bail. Accordingly, this Court deems it appropriate to grant the concession of regular bail to the petitioners.

10. Consequently, prayer made in the present petitions are **allowed**. Petitioners are ordered to be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

11. Needless to observe that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

12. Any of the discussion done and recorded here-above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in

accordance with law.

13. It is further made clear that if, in future, petitioners are directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

Petitions stand disposed of.

Pending misc. application(s), if any, also stand disposed of.

Photocopy of this order be placed on the file of other connected case.

(SANJAY VASHISTH)
JUDGE

February 09, 2026

J.Ram

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