



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.

147 CRM-M-26127-2026 (O&M).
Date of Decision: 14.05.2026.

Sarwan SinghPetitioner.
VERSUS
State of PunjabRespondent.

CORAM : HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Kirandeep Kaur, Advocate and
Mr. Amardeep Singh, Advocate for the petitioner.

Mr. Vinay Malhotra, Deputy Advocate General, Punjab.

SANJAY VASHISTH, J. (Oral)

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

Name of Petitioner	FIR No.	Date	Section(s)	Police Station	District
Sarwan Singh	003	03.01.2025	18-B, 21-C, 22-C, 28, 29, 30 of NDPS Act.	Goindwal Sahib	Tarn Taran

2. The facts pertaining to the case have been taken from the status report dated 14.03.2026, which read as under:

“ A) Brief Facst of case:-
•That on 03.01.2025, between 12:30 PM to 01:40 PM, checking in Barrack No.5 of Ward No.6, was conducted on the basis of

secret information, which led to recovery of 12 touch screen mobile phones, 1 keypad mobile phone and other prohibited/ contraband items by breaking the flood of the pit made inside the barrack for inmates i.e. 2 VIVO mobile phones, without SIM, one Oppo Mobile phone having one Airtel Sim No.0923, ID A291000921 1291445550, one VIVO mobile phone having one Airtel Sim ID 899100921318695505 and one JIO Sim ID 8991867040036507254, two Redmi mobile phones without Sim, one Oppo mobile phone without SIM, one Realme mobile phone having one Airtel SIM ID 8991000921129118336 U, one Redmi mobile phone having one Airtel SIM 8991000922507132873 U, one MOTOROLA keypad mobile phone, three mobile chargers, 6 airpods, one data cable, 16 earphones, 9 yellow tapes and 2 white tapes wrapped packets of substance containing 5150 intoxicant tablets, one packet wrapped in white tape containing sulphate like narcotic substance, weighing 218 grams, two packets wrapped in yellow envelopes containing opium, weighing 102 grams including envelope, 12 yellow and 8 white wrapped packets containing substance like heroin, weighing 1255 grams including envelope and in this regard, the present case FIR No.03 dated 01.01.2025, under section 18(b)/20/21-C/22-C of the NDPS Act & 42/52-A of the Prison Act has been registered at Police Station Goindwal Sahib, District Tarn Taran against 1 unknown person. On dated 09.01.2025, SI Balwinder Singh nominated (i) Amolak Singh @ Anmol (ii) Angrej Singh @ Raja (iii) Chamkaur Singh @ Soni (iv) Deepak Kumar @ Deepa @ Kochar and (v) Palwinder Singh Pinder as accused in the present FIR. Thereafter, the investigation of the present case was transferred from SSP Tarn Taran to the Anti-Narcotics Task Force (ANTF) vide Director, BOL, Punjab office order No.106-111/Crime/Inv-5 dated 08.01.2025. Subsequently, vide order No. 1704-09/AC-5 dated 28.01.2025, the Special Director General of Police, Special Task Force, Punjab, transferred the investigation to ANTF, Border Range, Amritsar, and constituted a Special

Investigation Team (SIT) in the present case. In pursuance thereof, the NOTANTF, Border Range, Amritsar received the case file on 22.04.2025, whereafter the investigation was taken over and conducted by the SIT.

B) Nomination of accused:-

That during the course of investigation on 09.01.2025, the Investigating Officer sought the list of the inmates of Barrack No.5 of Ward No.06 of Central Jail, Sri Goindwal Sahib and total 36 inmates were found to be lodged in Barrack No.5 and from the said 36 inmates, Several cases commercial cases under the provisions of NDPS Act have been registered against the accused Chamkaur Singh @ Sunny, Amolak Singh alias Anmol, Angrej Singh alias Raja, Deepak Kumar @ Deepa and Palwinder Singh alias Bhinder and on the basis of which aforesaid accused have been nominated in the present FIR and thereafter 31 other co-accused have been nominated in the present case vide DDR No.33 dated 04.07.2025, incorporated in Roznamcha at Police Station Goindwal Sahib, District Tarn Taran.

C) Apprehension:

- That during the course of investigation, the arrest of accused Chamkaur Singh Sunny, Amolak Singh alias Anmol, Deepak Kumar @ Deepa, Angrej Singh alias Raja and Palwinder Singh alias Bhinder has been made in the present case on 11.01.2025 by investigating officer from P.S. Goindwal Sahib, Distt. Tarn Taran, after obtaining their production warrants from the learned Court of Illaqa Magistrate, Khadur Sahib, District Tarn Taran. Thereafter the arrest of accused Ranjodh Singh @ Bablu, Ajay S/o Harbans Singh, Ajay S/o Ranjit Singh, Ajay s/o Mukhtar Singh, Bharat Singh S/o Makhan Singh has been made in the present case on 11.08.2025 by ANTE, Boder Range, Amita after obtaining their production warrants.*

D) Search and Seizure:-

• That on 03.01.2025, during the checking of Barrack No.05 of Ward No.6 of the jail, the jail authority broke the pit made for the prisoners to rest in the barrack and 13 mobile charges, 06 Airpods, 1 data cable, 16 ear phones, 515 white colored Intoxicant Tablets, 218 grams of Sulfa like Intoxicant Powder, 98 grams of opium and 1170 grams of heroin were recovered from the pit made in the Barrack. The recovery effected in the present case is a joint recovery, as the aforesaid articles were recovered from a common concealed pit inside the barrack where multiple inmates, including the petitioners and other co-accused, were lodged together. No recovery has been effected from the conscious possession of any individual accused, and the recovery pertains to the common area accessible to all inmates lodged in the said barrack.

E) Verification of Recovered Mobile Phones:-

• That the recovered 13 mobile phones were sent to FSL to get the detailed record regarding aforesaid mobile phones vide letter no.1875/ Reader dated 12.11.2025. Subsequently, a reminder letter was also sent by the office of anti Narcotics Task Force, Border Range, Amritsar to State Cyber Crime, SAS Nagar regarding extraction of data from the aforesaid recovered 13 mobile phones vide letter no.2188/ Reader dated 30.12.2025. However, the FSL report is still awaited.”

3. At the very outset, and as a primary argument, it is submitted that a total of 36 jail inmates, all of whom were confined in Barrack No.5 of the jail, have been made accused in the present case. One of them, namely Amolak Singh @ Anmol, has been granted the concession of regular bail vide order dated 31.10.2025 passed in CRM-M-50011-2025, and up till that time, he had remained in custody for a period of about 8 months and 15 days. Further, other accused namely Angrej Singh @ Raja, Deepak Kumar @ Deepa @ Kochar @ Deepak Kumar Kochar, Ranjodh Singh @ Babblu, Ajay

Singh, Chamkaur Singh @ Sunny @ Chamkor Singh and Lovepreet Singh @ Love have also been extended the concession of bail by this Court vide order dated 23.03.2026 (Annexure P-4).

4. Learned counsel for the petitioner submits that from co-accused Amolak Singh @ Anmol, nothing specific was recovered except for the allegations, according to which a huge quantity (5,150) of intoxicating tablets, 98 grams of opium, and 1,170 grams of heroin, along with a mobile phone, etc., were recovered. It is further submitted that no separate recovery has been effected from the petitioner.

5. Apart from this, it is also pointed out that all the recovered articles are now in the possession of the Investigating Agency, and petitioner is not required for any specific purpose to join any further proceedings pertaining to the investigation. Moreover, as per the investigation brought on record till date, almost all the nominated accused allegedly used certain mobile numbers (8872384158) and made unauthorized calls to their respective family members within the jail premises. However, no material has surfaced during the investigation to show that the accused persons involved in the present case made any phone call to any person already involved in drug smuggling or to any external drug syndicate.

6. Investigation qua petitioner has already been completed, and the final report under Section 173(2) Cr.P.C. has also been submitted.

7. Upon being asked by the Court, Investigating Officer, who is present in Court, explained that no narcotic contraband or any other incriminating material was recovered from the personal search of the petitioner.

The applicability of the rigours of Section 37 of the NDPS Act,

as discussed in the bail order of co-accused Amolak Singh @ Anmol, shall also apply to the present petition for the purpose of considering the plea for bail of the petitioner.

8. In view of the circumstances discussed in the order dated 31.10.2025 passed in CRM-M-50011-2025 and order dated 23.03.2026 (Annexure P-4), and admitted position that nothing was recovered from the personal search of any of petitioner, petitioner, who is in custody since 18.02.2026, needs not be detained any longer in custody merely on the ground that he was confined in Barrack No.5 and Ward No.6 of Central Jail, Goindwal.

Accordingly, this Court is of the considered opinion that the petitioner deserves the concession of regular bail. Present **petition is allowed**. Petitioner is ordered to be released on bail, subject to his 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.

9. Any of the discussion done and recorded hereabove, 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.

10. Petitions stand disposed of.

(SANJAY VASHISTH)
JUDGE

14.05.2026
jitender

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