

**CRM-M-28447-2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****113****CRM-M-28447-2025****Decided on :10.03.2026**

Satnam Singh @ Satta

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTHPresent: Mr. R.S. Sekhon, Advocate and '
Ms. Sangeeta Devi, Advocate for the petitioner.

Mr. Neeraj Madaan, Sr.DAG, Punjab.

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SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No.143 dated 13.09.2024, under Sections 21/25-61-85 of NDPS Act, registered at Police Station Special Task Force, SAS Nagar.

2. As per the case of the prosecution, on 13.09.2024, secret information was received regarding accused Gurchet Singh alias Cheta. The informer alleged that the said accused was involved in large-scale smuggling of heroin and was presently in possession of a huge quantity of the contraband at his residence in village Bhagwanpura. Acting upon the said information, a search of the house was conducted, during which a blue polythene envelope was recovered from an almirah, which was found to contain 637 grams of heroin.

3. Learned counsel for the petitioner submits that on the basis of the disclosure statement made by main accused-Gurchet Singh @ Cheta, present petitioner has been involved in the present case. Counsel further submits that disclosure statement of a co-accused, in the absence

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of any recovery effected from the petitioner or any other independent corroborative material, is not admissible in evidence and cannot by itself form the basis for implicating the petitioner in the present case.

Counsel submits that petitioner is in custody since 06.12.2024. Out of the total 14 prosecution witnesses, only 01 has been examined till date, thus, counsel submits that trial is likely to take considerable time and, therefore, prays for grant of regular bail to the petitioner.

4. Learned State counsel has filed a status report by way of an affidavit of Kapil Kaushal, PPS, Deputy Superintendent of Police, Anti Narcotics Task Force, Border Range, Amritsar, in Court today and refers to paragraphs 9 to 11 of the same.

In paragraphs 9 and 10 of the status report, it has been stated that petitioner was using mobile No. 9878321046 while he was already confined in jail and was in regular contact with the main accused, Gurchet Singh @ Cheta, who was using mobile No. 7814903256. On the basis of the same, learned State counsel prays for dismissal of the present petition.

5. Responding to the same, learned counsel for the petitioner submits that no such mobile phone or SIM card was ever recovered from the possession of the petitioner, Satnam Singh. Counsel further submits that there is no material on record to substantiate the said allegation and petitioner has been falsely implicated in the present case.

6. I have heard Learned Counsel for the parties and perused the paper book and the documents appended thereto.

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7. Considering the fact that petitioner is in custody since 06.12.2024, out of a total of 14 prosecution witnesses, only 01 witness has been examined so far, and the trial is likely to take considerable time, coupled with the fact that petitioner has no independent role in the recovery of the contraband and has only been implicated on the basis of the disclosure statement of a co-accused, which is not admissible against him, this Court finds merit in the prayer of the petitioner.

Without commenting on the merits of the case, 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.

8. 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.

9. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

10.03.2026***Rashmi****Whether speaking/reasoned:* Yes/No*Whether Reportable:* Yes/No