

CRM-M-34126-2025,CRM-M-34340-2025
CRM-M-45667-2025,CRM-M-62324-2025
and CRM-M-68659-2025

2026.PHHC:015780



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

234

CRM-M-34126-2025

AJAY

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CRM-M-34340-2025

GURMAIL SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CRM-M-45667-2025

ROHIT SETHI

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CRM-M-62324-2025

RAJAN @ SAGAR @ SAGGI

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CRM-M-68659-2025

SAMUEL VICKY

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

Decided on: 03.02.2026



CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Nakul Sharma, Advocate,
for the petitioner
(in CRM-M-34126-2025 and CRM-M-34340-2025),
Mr. Baljeet Singh, Advocate,
for the petitioner (in CRM-M-45667-2025),
Mr. Puneet Kumar Bansal, Advocate,
for the petitioner (in CRM-M-62324-2025), and
Mr. Jashandeep Singh Sandhu, Advocate,
for the petitioner (in CRM-M-68659-2025).

Mr. Iqbalpreet Singh, AAG, Punjab.

SANJAY VASHISTH, J.

By this common order, all the aforementioned five regular bail petitions, i.e. CRM-M-34126-2025, CRM-M-34340-2025, CRM-M-45667-2025, CRM-M-62324-2025 and CRM-M-68659-2025, shall stand disposed of.

1. Prayer(s) made in the present petitions

- (i) Petitioner – Ajay has filed the petition, i.e. CRM-M-34126-2025, seeking grant of regular bail, in case, FIR No.34, dated 04.04.2025, under Sections 21/29/61/85 of NDPS Act (offence under Section 29 of NDPS Act added later on), read with section 25 of Arms Act, registered at Police Station Kulgarhi, District Ferozepur.
- (ii) Petitioner – Gurmail Singh, has filed the petition, i.e. CRM-M-34340-2025, seeking grant of regular bail, in case, FIR No.34, dated 04.04.2025, under Sections



21/29/61/85 of NDPS Act (offence under Section 29 of NDPS Act added lateron), read with section 25 of Arms Act, registered at Police Station Kulgarhi, District Ferozepur.

(iii) Petitioner – Rohit Sethi has filed the petition, i.e. CRM-M-45667-2025, seeking grant of regular bail, in case, FIR No.34, dated 04.04.2025, under Section 21 of NDPS Act and section 25 of Arms Act, (Section 29 of NDPS Act added later on), registered at Police Station Kulgarhi, District Ferozepur.

(iv) Petitioner – Rajan alias Sagar alias Saggi has filed the petition, i.e. CRM-M-62324-2025, seeking grant of regular bail, in case, FIR No.34, dated 04.04.2025, under Section 21 of NDPS Act (Section 29 of NDPS Act added later on), Section 25 of Arms Act, registered at Police Station Kulgarhi, District Ferozepur.

(v) Petitioner – Samuel Vicky has filed the petition, i.e. CRM-M-68659-2025, seeking grant of regular bail, in case, FIR No.34, dated 04.04.2025, under Sections 21 and 25 of NDPS Act, and section 25 of Arms Act (Section 29 of NDPS Act added later on), registered at Police Station Kulgarhi, District Ferozepur.

2. As per the case of the prosecution, the police party received a secret information regarding smuggling of heroin by the accused



persons, namely (1) Abhikash alias Nikka, (2) Rajan alias Sagar alias Saggi, (3) Ajay, and (4) Gurmail Singh alias Sanam. It was further informed that all the four accused were travelling together on the same day, in a Fortuner vehicle, bearing registration No.DL-03-CBM-5639, which was being driven by accused Gurmail Singh alias Sanam, and they were coming from village Sherkhan towards the Ferozepur side.

Before effecting the actual recovery of the contraband, and upon forming an opinion that the information was reliable, a *ruqa* was sent and FIR in question was registered against the aforesaid accused persons.

3. On the very outset, learned State counsel has placed on record a comprehensive status report dated 02.02.2026, which is taken on record. Registry is directed to tag the same at the appropriate place in the file.

4. As detailed in the status report, upon laying a *naka*, Fortuner vehicle was intercepted, whereupon occupants of the vehicle were interrogated and searched. Driver of the vehicle disclosed his name as Gurmail Singh alias Sanam, while the person sitting on the front passenger seat disclosed his name as Ajay. Two other accused persons, who were occupying the rear seat of the vehicle, disclosed their names as Rajan alias Sagar alias Saggi and Abhikash alias Nikka.

During the search conducted by the police team in the presence of a Gazetted Officer (Dy.S.P., Ferozepur), 797 grams of heroin



was recovered from the left pocket of the pant worn by Abhikash alias Nikka. Thereafter, upon searching Rajan alias Sagar alias Saggi, 260 grams of heroin wrapped in a polythene packet was recovered from the left pocket of his trouser. Further, on the search of co-accused Ajay, one 32 bore magazine, nine live cartridges of 32 bore, one pistol, and an empty 32 bore magazine were recovered from the left pocket of his pant. On the search of Gurmail Singh alias Sanam, eight live cartridges of 9 mm were recovered from the left pocket of his pant.

5. During the course of investigation, accused Abhikash alias Nikka made a disclosure statement naming other co-accused, namely Gagandeep alias Gagan alias Gagga Gill and Samuel Vicky.

6. Subsequently, on 06.04.2025, during further investigation, accused Rajan alias Sagar alias Saggi also made a disclosure statement to the effect that the heroin recovered from him had been supplied by one Rahul alias Akash. Consequently, on 08.04.2025, accused Gagandeep Singh alias Gagan alias Gagga Gill, Rahul alias Akash, and Samuel Vicky were arrested through production warrants.

7. After his arrest, accused Gagandeep Singh alias Gagan alias Gagga Gill made a disclosure statement naming another accused, namely Rohit Sethi, in the present case.

However, status report does not indicate that any narcotic substance was recovered from the possession of accused Gagandeep



Singh alias Gagan alias Gagga Gill. Similar is the position *qua* accused Samuel Vicky, from whose possession no recovery has been effected.

8. Nevertheless, as per the allegations levelled by the prosecution, it is the petitioner, Samuel Vicky, who, while being lodged in jail, allegedly arranged the Fortuner vehicle bearing registration No.DL-03-CBM-5639 for use in the smuggling of the recovered heroin.

Thus, there are total eight accused persons involved in the present case, and narcotic contraband in the form of heroin has been recovered from two of them, namely Abhikash alias Nikka (797 grams) and Rajan alias Sagar alias Saggi (260 grams).

9. At this stage, counsel for the petitioner – Rajan alias Sagar alias Saggi, submits that he does not want to press the petition filed on his behalf.

10. Accordingly, petition i.e. CRM-M-62324-2025 filed by the petitioner – Rajan alias Sagar alias Saggi stands dismissed, being not pressed, at this stage.

11. Learned counsel for the petitioner-Ajay (in CRM-M-34126-2025) submits that, except for the recovery of one 32 bore magazine, nine live cartridges of 32 bore, one pistol, and an empty 32 bore magazine, no narcotic substance has been recovered from the possession of the petitioner, so as to warrant his implication or continued prosecution under the provisions of the NDPS Act.



12. Similar position exists *qua* another co-accused, namely Gurmail Singh alias Sanam (petitioner in CRM-M-34340-2025), from whose possession eight live cartridges of 9 mm, two pistols of 30 bore, and two live cartridges of 30 bore were recovered. No contraband forming the subject matter of the NDPS Act has been recovered from his possession.

13. Learned counsel for the petitioner-Samuel Vicky (in CRM-M-68659-2025) contends that alleged involvement of the petitioner in the present case is solely based on the disclosure statement of accused Abhikash alias Nikka, with the allegation that he arranged the vehicle while being lodged in jail. However, no material has been collected during the investigation to substantiate the said allegation. It is further submitted that there is no call detail record or any other corroborative evidence, connecting the petitioner-Samuel Vicky with Abhikash alias Nikka, or with any other co-accused, from whom the contraband of heroin has been recovered.

14. As regards petitioner-Rohit Sethi (in CRM-M-45667-2025), learned counsel submits that his implication in the present case is also based solely on the disclosure statement made by accused Gagandeep alias Gagga Gill. No contraband or weapon has been recovered from his possession.

15. Counsel for the petitioners jointly submit that all the petitioners, namely Ajay, Gurmail Singh alias Sanam, Rohit Sethi, and



Samuel Vicky, have been in judicial custody since April 2025, i.e., for a period of approximately nine months. Charges in the present case are yet to be framed, and therefore, conclusion of the trial in the near future is likely to take considerable time. Thus, learned counsel(s) jointly pray for grant of regular bail to the aforesaid petitioners in the present case.

16. In response to the arguments addressed by learned counsel for the petitioners, learned State counsel, produces the custody certificates of the petitioners dated 02.02.2026 in Court today, which are taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioners.

17. Learned State counsel, while opposing the prayer and submissions advanced by learned counsel for the petitioners, submits that, in view of the conduct of the petitioners in the present case, as detailed in the status report filed today before this Court, their prayer for grant of regular bail does not merit acceptance and deserves to be rejected. Therefore, he prays for dismissal of the present petitions.

18. This Court has heard the submissions addressed by learned counsel for the parties and has perused the record available before it.

19. From the status report filed by learned State counsel, it does not emerge that any of the petitioners, namely Rohit Sethi, Ajay, Gurmail Singh, or Samuel Vicky, has been shown to be directly involved in the present case on the basis of any recovery of contraband effected therein.

The question that arises for consideration, and which



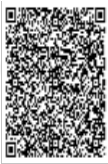
would ultimately require determination at the final stage of trial, is whether the aforesaid petitioners had any conscious possession of the contraband, i.e. 797 grams of heroin recovered from the clothes worn by accused Abhikash alias Nikka and 260 grams of heroin recovered from the clothes worn by accused Rajan alias Sagar alias Saggi.

20. Therefore, in view of the totality of the circumstances, nature of the allegations levelled against the petitioners, and the factors noticed here above, this Court deems it appropriate to grant the concession of bail to the petitioners, namely Rohit Sethi, Ajay, Gurmail Singh, and Samuel Vicky.

Consequently, prayer made in the present petitions, i.e. CRM-M-34126-2025, CRM-M-34340-2025, CRM-M-45667-2025 and CRM-M-68659-2025 is allowed. Petitioners namely Ajay, Gurmail Singh, Rohit Sethi and Samuel Vicky 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.

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

22. 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.

23. 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.

24. However, petition i.e. CRM-M-62324-2025, filed by the petitioner - Rajan alias Sagar alias Saggi, is dismissed as not pressed.

25. Accordingly, all the aforementioned five petitions stand disposed of.

26. A photocopy of this order be placed on the files of other connected cases.

(SANJAY VASHISTH)
JUDGE

03.02.2026
Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO