



CRM-M-36320-2025 and CRM-M-73114-2025

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36320-2025

Harmandar Singh @ Ajay

.....Petitioner

Versus

State of Punjab

.....Respondent

CRM-M-73114-2025

Jaspreet Singh @ Jassi

.....Petitioner

Versus

State of Punjab

.....Respondent

Decided on: 27.01.2026

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. A.S. Brar, Advocate
for the petitioner(s) (in CRM-M-36320-2025)

Mr. Harpal Singh Sidhu, Advocate
for the petitioner(s) (in CRM-M-73114-2025).

Mr. Jatin Kundu, AAG, Punjab

SANJAY VASHISTH, J. (ORAL)

1. By way of this common order, both the above-mentioned petitions are being decided together as they arise out of the same FIR and common allegations.
2. CRM-M-36320-2025 arises out of **FIR No. 50 dated 09.03.2025**, registered at Police Station City Moga, District Moga, under Section 21 of NDPS Act (Sections 27-B, 29 of NDPS Act added lateron) and CRM-M-73114-2025 arises out of **FIR No. 50 dated 09.03.2024**, registered at Police Station City Moga, District Moga, under Sections 21(c) and 29 of NDPS Act.



3. As per case of the prosecution, a secret information was received that petitioner-Harmander Singh @ Ajay, is habitual in selling Heroin and presently travelling on his Active Scooter PB-29Y-6010 towards Moga City, the aforementioned FIR was registered and on being intercepted and checking of the Aactiva Scooter, one polythene bag was found lying under the seat, containing 255 grams of Heroin in it.

4. Learned counsel for the petitioner(s) argues that infact a false case has been planted against him, as nothing as projected in the present case has been recovered from his possession or from the Scooter, which was registered in the name of father of the petitioner and at the alleged time driven by him.

He further argues that petitioner is aged 27 years and throughout he has clean antecedents, as no other case of similar nature was ever found registered against him, except of one case i.e FIR No. 134/2024 registered under Section 115(2), 118(1), 140(3), 190, 191(3), 238, 303(2), 324(4), 126(2) of BNS, at Police Station City Moga. In support of the contention that petitioner was involved falsely, he submits that infact petitioner was present in the house alongwith Mangal Singh (brother-in-law) and Sukhchain Singh (brother of the petitioner) and Raju on 08.03.2025, when the police official raided their house and illegally arrested them. Even the Car bearing registration No. PB29-AH-0270 was also taken away by the police officials. Thus, he being first time involved in the case, that too falsely counsel prays for grant of regular bail. While making submissions qua another petitioner i.e. Jaspreet Singh @ Jassi it is being argued that he has also been involved in the instant case falsely with the allegation that it is the petitioner, who had supplied the recovered Heroin weighing 255 grams to the named accused namely Harmandar Singh @ Ajay . Apart the disclosure statement of the said



accused, no other evidence was collected by the prosecution agency during the course of investigation. He further submits that the petitioner was also never found involved in any other similar activity. Thus, prays for grant of regular bail.

5. On the other hand, learned State counsel, while filing custody certificates submits that petitioner Harmandar Singh @ Ajay is facing prosecution in another criminal case i.e. FIR No. 134/2024 registered under Section 115(2), 118(1), 140(3), 190, 191(3), 238, 303(2), 324(4), 126(2) of BNS, at Police Station City Moga, however, both the petitioners were never found indulged in their earlier past in any other similar activity i.e. involving in illegal trafficking of narcotic substance etc. On being asked by the Court, it is informed that out of total 18 prosecution witness only one has been examined and three have been given up, thus, 14 prosecution witnesses are yet to be examined, whereas the petitioners are inside jail since 09.03.2025. Apart this, it is also noticed that the actual weight of the Heroin is 255 grams or less than it would also be a moot question before the trial Court because in all probability the contraband has been weighed alongwith the weight polythene, in which the Heroin was contained.

6. I have carefully considered the submissions addressed by the respective counsel.

7. Considering all the aspects into consideration that the petitioners are allegedly first time offender under the NDPS case and this Court is inclined to afford them an opportunity to reform and reintegrate into society, instead of prolonging their custody, particularly when the trial is unlikely to conclude soon. Accordingly, this Court deems it appropriate to grant the concession of regular bail to the petitioners.

**CRM-M-36320-2025 and CRM-M-73114-2025****4**

8. Accordingly, both the petitions are allowed. Petitioners namely- Harmandar Singh @ Ajay (in CRM-M-36320-2025) and Jaspreet Singh @ Jassi (in CRM-M-73114-2025) 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.

9. Needless to observe that the petitioner(s) shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. 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.

11. Both the petitions stand disposed of.

12. A photocopy of this order be placed on the file of other connected case.

27.01.2026**reena****(SANJAY VASHISTH)
JUDGE**

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