

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:034740



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CRM-M-42676-2025 (O&M)
Date of decision:06.03.2026

Sarabjit Singh @ Ladda

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. K.S. Sidhu, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed by the petitioner seeking benefit of regular bail in case arising out of FIR No.251, dated 06.12.2024, registered under Section 21 of the NDPS Act (offence under Section 29 of the NDPS Act was added lateron vide GD No.35 dated 26.05.2025), at Police Station Lopoke, District Amritsar.

2. The aforementioned FIR was registered on the allegations that on 05.12.2024 on receipt of a secret information by the office of Coy Comdr. 'B' Coy BOP Pulmoran to the effect that one packet suspected to be containing some contraband was lying in a field at village Bachiwind, the officials of BSF along with police officials reached at the suspected area and carried a joint search operation. One small packet was recovered from a

farming field. The same was taken into possession. On opening the same, it was found to be containing 0.530 kgs of contraband heroin. The aforementioned FIR was registered. Investigation proceedings were initiated. At the same day, a GDR was registered on the basis of secret information and the present petitioner along with one Jobanjit Singh @ Joba were nominated as accused. They were arrested on the same day. They suffered disclosure statements admitting their involvement in bringing of the contraband, which was recovered by the BSF. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of secret information. No recovery has been effected from him. The disclosure statement allegedly suffered by him and co-accused cannot be considered to be admissible in evidence. There is no other material on record to connect him with the commission of the subject offences. The allegations that in his cell phone some photograph of contraband was found, are falsely levelled. The trial will take considerable time to conclude. His continued detention would not serve any useful purpose. His antecedents are clean. There are no chances of his absconding. It is, therefore, argued that the petition deserves to be allowed.

4. Per contra, learned State counsel has argued that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended the benefit of bail.

5. This Court has heard the rival submissions made by learned counsel for the parties.

6. The petitioner along with the co-accused is alleged to have been

involved in supply of contraband. The contraband in this case was admittedly recovered from an open space. The petitioner is alleged to have been nominated on the basis of a secret information. No recovery has been effected at his instance. Though, in the order passed by learned Additional Sessions Judge, there is mention that the cell phone of the petitioner showing photograph of the contraband has been recovered. However, in its status report, the respondent/State has not made mention of any such recovery. He has been connected with this case only on the basis of secret information and then his disclosure statement. It is only on thorough assessment of the evidence to be produced during trial that any definite conclusion as to his involvement in the commission of subject offence can be drawn and not at this stage. He is in custody for a period of over 01 year, 02 months and 23 days. Trial would likely to take considerable time to conclude as only 02 out of 20 witnesses have been examined so far. He does not have any criminal antecedents.

7. Taking into consideration the above discussed facts, the nature of the allegations levelled against the petitioner and the circumstances peculiar to this case, this Court is of the considered opinion that the petitioner has made out a case for release on bail. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to regular bail, subject to his furnishing personal as well as surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and shall not influence the outcome of the trial.

9. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

06.03.2026

harjeet

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No

(MANISHA BATRA)
JUDGE