



CRM-M-42682-2025

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**118 (2 cases) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****(1)****CRM-M-42682-2025**

Date of Decision: 07.04.2026

Gurjit Singh @ Geet

..... Petitioner

Versus

State of Punjab

.....Respondent

(2)**CRM-M-60029-2025**

Shamsher Singh @ Shera

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Ruhani Chadha, Advocate,
for the petitioner in CRM-M-42682-2025.

Mr. Yajur Sharma, Advocate,
for the petitioner in CRM-60029-2025.

Mr. Raj Karan Singh, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. This order shall dispose of afore-mentioned two petitions seeking grant of regular bail to the petitioners in a case bearing common FIR No.202 dated 20.12.2024, registered under Sections 21, 25 & 27(a) of NDPS Act, 1985, (Section 29 NDPS Act added later on) and Section 25 of Arms Act (Section 25(8) of Arms Act added later on), at Police Station Special Task Force, Police District STF Wing, District SAS Nagar.

2. Succinctly, facts of the case are that on 20.12.2024, the police party while on patrolling received a secret information to the effect that Gurjit Singh @ Geet (petitioner) resident of Tarn Taran, who indulges in sale & purchase of heroin and illegal weapons from Pakistan, has been living with his relative Binder Singh at Village Nawa Dalla Rajputan, Police



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Station Ajnala and in case of raid, he could be arrested alongwith the contraband, drug money and illegal weapons. On receiving the information, a raid was conducted at the residence of said Binder Singh where a young man was apprehended, who disclosed his name as Gurjit Singh @ Geet (petitioner in CRM-M-42682-2025). From the possession of said accused, drug money of Rs.5 lakh, one pistol 30 bore made in China and one magazine, including 03 live cartridges were recovered. The accused was arrested on the spot. The investigation commenced. The petitioners approached the Court of learned Judge, Special Court, Amritsar praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioners vide orders dated 22.04.2025 & 26.09.2025. Earlier the petitioner in CRM-M-42682-2025 approached this Court praying for grant of regular bail by way of filing CRM-M-23739-2025 which was dismissed vide order dated 08.05.2025; hence the present petition.

3. It has been vehemently contended by learned counsel for the petitioners that the petitioners have been falsely and frivolously implicated in the present case. He submits that the case of the prosecution is evidently based on the secret information but there is a violation of provisions of Section 42 of the NDPS Act. He further submits that no independent witness has been joined. He also contends that though, allegations against the petitioners are regarding his involvement in the selling of intoxicant substances however, there is no recovery whatsoever of any contraband. In the present case, the recovery of the weapon i.e. 30 bore pistol, Rs.5 lakh as drug money and three live cartridges is a planted recovery on the petitioner.



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Further submits that petitioner was falsely implicated in other FIR No.5 dated 03.02.2025 registered at Police Station Bhindi Saidan, District Amritsar and he has already been granted bail by this Court. He contends that petitioner is behind the bars from last about 01 year and there is no progress in the trial; thus, a praying for granting bail has been made.

4. Learned counsel for petitioner (Shamsher Singh) in CRM-M-60029-2025 submits that neither petitioner was named in the FIR nor any recovery was effected in the present case. However, he has been arraigned as an accused only on the basis of disclosure statement of co-accused Gurjit Singh which is not even admissible in evidence. He further contends that false implication of the petitioner is writ large, thus he also prays for grant of bail.

5. *Per contra*, learned State counsel has vehemently controverted the submissions made by counsels for the petitioners. It is submitted that there was specific secret information about Gurjit Singh @ Geet and on conducting the raid, 30 bore pistol, Rs.5 lakh as drug money and three live cartridges were recovered from him. He submits that though, the contraband (heroin) could not be recovered in the present case. However, the same was recovered for which FIR No.5/2025 under Section 21, 25 & 29 of NDPS Act has been registered at Police Station Bhindi Saidon, District Amritsar. On instructions, he has submitted that out of total 12 prosecution witnesses, none has been examined till date. He has placed on record the custody certificate of the petitioners.

6. After hearing counsel for the parties and perusing the record, it is deciphered that case of the prosecution is based on secret information. As contended before this Court, there is violation of Sections 42 and 50 of the



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NDPS Act, in the present case. Out of 12 prosecution witnesses, none has been examined till date. The custody certificate would show that the petitioner (Gurjit Singh @ Geete) has suffered incarceration of 01 year, 03 months and 13 days whereas, petitioner (Shamsher Singh @ Sher) has undergone incarceration of 10 months & 20 days as on 06.04.2026.

7. It is also noticed that accused Shamsher Singh @ Sher was neither named in the FIR nor any recovery was effected from him. He has been arraigned as an accused on the basis of disclosure statement of co-accused Gurjit Singh.

8. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioners succeeds in making out a case for grant of regular bail to the petitioners.

9. Accordingly, the present petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

10. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

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

(RAJESH BHARDWAJ)
JUDGE

07.04.2026

SN

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No