



CRM-M-49429-2025

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRM-M-49429-2025

Decided on :09.03.2026

Lovepreet Singh alias Labha

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Raghav Soni, 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.57 dated 09.05.2025, under Sections 21-B, 27-A, 29,61, 85 of NDPS Act, registered at Police Station Sultanwind, Amrtisar.

2. On seeing the patrolling team, two clean-shaven young men appeared terrified and immediately attempted to run away. One of them tried to throw a polythene bag but was apprehended and disclosed his name as Satnam Singh @ Sajan, while the other disclosed his name as Pargat Singh @ Kala. From the transparent envelope carried by Pargat Singh @ Kala, currency amounting to Rs.1,200/- (Rs.500 + Rs.500 + Rs.200) along with heroin weighing 12.66 grams was recovered.

From the transparent envelope held by accused Satnam Singh @ Sajan, heroin weighing 9.18 grams was recovered.

3. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case and his name surfaced only on

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the basis of the disclosure statement of co-accused, namely Pargat Singh. Counsel further submits that the said disclosure statement, being that of co-accused, is not a substantive piece of evidence and is otherwise inadmissible in evidence except to the limited extent permissible under law. Learned counsel contends that no recovery has been effected from the petitioner pursuant to the said disclosure statement and, therefore, alleged disclosure statement cannot be made the sole basis to connect the petitioner with the crime in question.

Counsel further submits that the petitioner is in custody since 22.05.2025. He further submits that out of the total 13 prosecution witnesses, none has been examined till date and, therefore, trial is likely to take considerable time to conclude. Accordingly, he prays for the grant of regular bail to the petitioner.

4. On the other hand, learned State counsel submits that petitioner's name surfaced during the investigation on the basis of the disclosure statement of co-accused, He further submits that the recovery from the co-accused establishes the petitioner's involvement and is sufficient to indicate his complicity, therefore, prays for dismissal of the present petition.

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

6. Considering the facts and circumstances of the case, particularly that petitioner is in custody since 22.05.2025, that out of the

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total 13 prosecution witnesses none has been examined so far, and that the trial is likely to take considerable time to conclude, this Court is of the view that continued incarceration of the petitioner would serve no useful purpose. It is further noticed that petitioner's name has surfaced primarily on the basis of the disclosure statement of a co-accused, which, being inadmissible as substantive evidence under law, cannot by itself establish the petitioner's guilt.

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/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. 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.

8. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

09.03.2026***Rashmi***

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