



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

103-2

CRM-M-50875-2025
Decided on : 07.03.2026

SHAMSHER SINGH
.....Petitioner
Versus
STATE OF PUNJAB
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. S.K. Passi, Advocate, and
Ms. Honey Passi, Advocate,
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Shamsher Singh, aged about 24 years	32	17.03.2025	21, 18, 23, 29 of NDPS Act and section 25 of Arms Act (Sections 18-B, 25, 27-A of NDPS Act, Sections 109 and 3(5) of BNS and sections 25(8) of Arms Act added later on, while	Jhabal	Tarn Taran



			section 21 of NDPS Act deleted)		
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2. As per the facts of the case, on 17.03.2025, members of the police party received a secret information to the effect that accused persons namely Varinder Singh alias Vijay, Gurjant Singh alias Janta, Satnam Singh alias Sagar and Jashanpreet Singh alias Jashan were bringing pistols and narcotic substances, including opium and heroin, from Pakistan on two motorcycles—one bearing registration No.PB-02-EK-0361 and the other a Bajaj motorcycle without registration number—for further sale to customers in India. It was further informed that if a raid was conducted, recovery of narcotic substances and illegal weapons could be effected.

On the basis of the said information, FIR was registered and investigation was commenced. Thereafter, raid was conducted at the disclosed place with the assistance of the secret informer. On noticing the police party, two young persons allegedly took out pistols from their waists and started firing at the police party. In retaliation, the police party also fired in self-defence, as a result of which the said two persons sustained injuries and fell down. All four young persons were apprehended at the spot.

The first injured person disclosed his name as Varinder Singh alias Vijay (accused) and the second injured person disclosed his name as Jashanpreet Singh alias Jashan (accused). Upon conducting search of accused Varinder Singh alias Vijay, one empty magazine of .30 bore was recovered from the right pocket of his kurta. Similarly, upon



conducting search of accused Jashanpreet Singh alias Jashan, one empty magazine of .30 bore was recovered from the pocket of the lower worn by him. Both the injured/accused were admitted to Civil Hospital, Tarn Taran for treatment.

The third apprehended person disclosed his name as Gurjant Singh alias Janta, from whom one .30 bore pistol along with a magazine was recovered from his waist. Upon unloading the said magazine, one live cartridge was recovered and one empty .30 bore cartridge was recovered from the right pocket of his lower. The fourth apprehended person disclosed his name as Satnam Singh alias Sagar, from whom 200 currency notes of Rs.500 each (totalling Rs.1,00,000/-) were recovered from the lower worn by him, allegedly as drug money.

3. During the course of investigation, on 19.03.2025, accused Satnam Singh suffered a disclosure statement before the Investigating Officer and got recovered an amount of Rs.10,10,000 as alleged drug money from his residential house.

Accused Gurjant Singh further disclosed the name of another accused, namely Iqbal Singh, stating that he along with Varinder Singh alias Vijay used to place orders with Iqbal Singh for smuggling weapons and contraband from Pakistan.

Accused Iqbal Singh was arrested on 19.03.2025 and, pursuant to his disclosure statement, he got recovered one .32 bore pistol along with a magazine, four live cartridges, drug money amounting to Rs.12,00,000/- and a money counting machine from his Swift car, bearing registration No.PB-46-AA-1114.



Accused Iqbal Singh again made a disclosure statement stating that towards the end of the year 2024, he had contacted one Navdeep Singh through an Instagram ID, who asked him to get drug money collected through hawala transactions. He allegedly used to receive Rs.4–5 lacs per month for the said purpose and further stated that Shamsher Singh (petitioner herein) was also involved in the said activity with him. On the basis of this disclosure statement, petitioner-Shamsher Singh was nominated as an accused in the present case on 19.03.2025.

4. On the basis of another disclosure statement dated 20.03.2025 made by accused Iqbal Singh, other persons namely Harjashanpreet Singh, Sahilpreet Singh, Gurpreet Singh alias Gopi and Jobandeep Singh were also nominated as accused, allegedly for their involvement in collecting and further supplying the drug money.

Subsequently, on 25.03.2025, accused Iqbal Singh made yet another disclosure statement alleging that another accused, Aishveer Singh alias Aish, had supplied heroin to him and the present petitioner Shamsher Singh on several occasions.

5. As per the allegations in the present case, total 7 kilograms of heroin and certain illegal weapons were recovered from the accused persons, as detailed above.

6. Learned counsel for the petitioner submits that petitioner was arrested in the present case on 11.06.2025, solely on the basis of the disclosure statement made by co-accused Iqbal Singh and no recovery has been effected from the petitioner.



It is further submitted that except of the said disclosure statement, there is no other incriminating evidence available against the petitioner.

7. Further submits that petitioner is in custody since 11.06.2025, and no useful purpose would be served by keeping him behind bars for an indefinite period.

8. It is also submitted that similarly situated co-accused, namely Ashok Kumar Sharma, who was also nominated as an accused in the FIR only on the basis of disclosure statement, has already been granted the concession of bail by this Court, vide order dated 04.07.2025 passed in CRM-M-32652-2025 (Annexure P-6). Thus, counsel prays for grant of regular bail to the petitioner in the present case.

9. In response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 06.03.2026 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 08 months and 18 days period inside jail.

10. Learned State counsel, while opposing the prayer and submissions made by learned counsel for the petitioner, submits that considering the gravity of the offence involved in the present case and heavy recovery of contraband and illegal weapons from the accused persons, petitioner does not deserve the concession of regular bail. Accordingly, he prays for dismissal of the present petition.



11. This Court has heard the submissions addressed by learned counsel for the parties and has also gone through the record available before it.

12. Admittedly, petitioner has been nominated in the present case on the basis of the disclosure statement suffered by co-accused Iqbal Singh and nothing has been recovered from the possession of the petitioner. Petitioner was also subjected to interrogation by the Investigating Officer.

Not only this, in the explanation given in the tabular chart in paragraph No.18 of the status report dated 11.01.2026 with regard to each of the accused persons, nothing has been mentioned regarding the involvement of the petitioner in any other case registered under the NDPS Act.

13. It has also been noticed that as per the disclosure statement of co-accused Iqbal Singh, the only allegation against the petitioner is that he used to accompany the other accused persons in the alleged dealings relating to weapons and narcotic substances. However, whether petitioner had any knowledge or was in conscious possession of the contraband at any point of time, remains uncertain at this stage, and is a matter to be determined by learned trial Court at the appropriate stage of trial.

14. Considering the totality of the circumstances, nature of allegations levelled against the petitioner and the factors noticed here above, this Court deems it appropriate to grant the concession of regular bail to the petitioner in the present case.



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Consequently, prayer made in the 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/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

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

16. 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.

17. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

18. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

07.03.2026

Lavisha

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