



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

102

CRM-M-51137-2025
Date of decision: 05.03.2026

SAGAR MASIHPetitioner

VERSUS

STATE OF PUNJABRespondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Arshdeep Singh Brar, Advocate
for the petitioner.

Mr. Mohit Kapoor, Senior DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Section 482 of the BNSS, 2023 for grant of pre-arrest bail to the petitioner in case bearing FIR No.84 dated 04.08.2025, under Section 21 of the Narcotic Drugs & Psychotropic Substances Act, 1985 (Section 29 of NDPS Act added later on) registered at Police Station Mehna.

2. Learned Counsel appearing on behalf of the petitioner contends that the Police had apprehended one Khushwinder Singh and from his possession, recovered 725 grams of Heroin and Rs. 25,000/- were recovered. It is contended that as per the disclosure of the said co-accused Khushwinder Singh, one Jagpreet Singh had asked him to deliver the aforesaid contraband

to the petitioner herein. He contends that on the basis of the said disclosure statement, General Diary No. 18 dated 06.08.2025 was recorded and the petitioner was nominated as an accused.

3. Counsel contends that this Court had, vide its order dated 25.02.2026, directed the State to refer to any other link evidence on the basis whereof, association of the petitioner with Khushwinder Singh or Jagpreet Singh could be established.

4. Learned State Counsel, despite having availed time, is not in a position to refer to any such evidence as would primarily reflect the participation of the petitioner or his involvement with the aforesaid recovery.

5. Counsel, however, contends that the petitioner has criminal antecedents and that intermediate quantities of contraband had been recovered at earlier instances in which the petitioner is undisputedly on bail.

6. Having heard learned Counsel appearing on behalf of the respective parties and taking into consideration the nature of allegations levelled against the petitioner wherein his attribution is based solely on the disclosure by the co-accused, the failure of the respondent-State to point out any specific evidence establishing the link of the petitioner with the said co-accused, the present petition is **allowed**. The petitioner is directed to join investigation as and when required by the Investigating Agency. In the event of petitioner joining investigation, he shall be admitted to interim bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall also abide by the conditions as specified under Section 482 of the BNSS, 2023. It is, however, made clear that the petitioner shall continue to join investigation and extend all cooperation to the Investigating Agency.

In the event of the petitioner not extending due cooperation, the prosecution shall be at liberty to move an application for seeking cancellation of the bail granted by this Court.

MARCH 05, 2026
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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