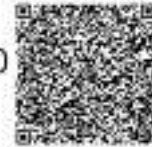


IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

2026.PHHC.016330



CRM-M-54995-2025 (O&M).
Date of decision: 04.02.2026.

PARAMJEET SINGH @ PAMMA

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

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

Present :- Mr. Ruhani Chadha, Advocate,
(Through Video Conference) with
Mr. Kashav Chadha, Advocate,
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

This is the first petition filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in
case bearing FIR No.51 dated 07.04.2025, under Section(s) 21 of the Narcotic
Drugs and Psychotropic Substances Act, 1985 (Section 29 of the NDPS Act
added later on), 2023, registered at Police Station City Fazilka, District
Fazilka.

The instant case pertains to chance recovery of the contraband.

The true translation of the FIR reads thus: -

“Today I ASI along with ASI Radhey Shyam 499/Fazilka, SC Suraj Kumar 40/Fazilka, SC Narinder Singh 775, SC Satnam Singh 163/Fazilka, C. Vinay Kumar 60 (Computer Operator) was on government vehicle make Mahindra Scorpio bearing no. PB-65-BG-6374 having search light, laptop and printer, which was being driven by SC Kikkar Singh No.884/Fazilka, regarding patrolling and checking of bad elements within the area of Police Station City Fazilka, when the police party while patrolling was passing through fish market Fazilka, vegetable market Fazilka towards Grain Market from Gate No.2, Malout Road, then two cut surd persons were seen coming on motorcycle and the youngster sitting on the pillion seat of the motorcycle was carrying black colour polythene in his hand. They got perplexed on seeing the police party and dropped the black colour polythene, while making an attempt to turn back the motorcycle, then I ASI made the vehicle stopped and with the help of other policeman, apprehended them and asked about their names and addresses, then the person driving the motorcycle disclosed his name as Baljinder Singh son of Shyam Singh resident of Walle Shah Utthar Noorshah and the person sitting on the pillion seat disclosed his name as Tarsem Singh son of Gajjan Singh resident of Village Pakka Chisti. Thereafter, I ASI disclosed my rank and place of posting to the above said youngsters that I ASI Kewal Singh am in a uniform and posted at CIA Fazilka and also carrying my name plate. I ASI after disclosing my name, rank and place of posting told the above said apprehended youngsters that I am having a doubt of some intoxicant in the polythene colour black dropped by you, therefore, a search is to be conducted. But you have a right under the NDPS Act to get yourself searched in the presence of any Magistrate or Gazetted Officer, who can be called at the spot, on which, the above said accused persons told that we have complete faith upon you and you can conduct the search of the polythene dropped by us. Thereafter, I ASI issued separate notices under Section 50 of NDPS Act to the above said

accused Baljinder Singh son of Shyam Singh and Tarsem Singh son of Gajjan Singh, the accused Baljinder Singh and Tarsem Singh put their respective signatures and ASI Radhy Shyam 499/Fazilka and SC Suraj Kumar 40/FZK put their signatures as witnesses. Thereafter, I ASI tried to join a witness from public before conducting the search of the black polythene dropped by the above said accused persons but due to dark, no one could be found. Thereafter, I ASI in the presence of official witnesses lifted the polythene colour bag dropped by the above said accused persons and checked the same, then from the polythene, heroin was recovered. Thereafter, I ASI measured the weight of the above said recovered heroin on a computer scale, which was found to be 100 grams including the weight of polythene. Thereafter, I put the same in a plastic container along with the polythene and converted into a parcel. The parcel containing heroin was sealed by me ASI with my seal bearing impression KS and the specimen seal was prepared separately and the seal was handed over to ASI Radhey Shyam after using the same. I ASI taken into police possession the above said recovered 100 grams heroin parcel duly sealed bearing impression KS along with specimen seal vide memo of recovery, the recovery memo was prepared. The recovery memo was witnessed by the witnesses. Thereafter, I ASI in the presence of official witnesses conducted the personal search of the above said accused persons, then from the left pocket of jeans worn by the above said Baljinder Singh, Rs.510/- Indian Currency Notes were recovered and from the right pocket of the lower worn by the above said Tarsem Singh, one mobile phone make Vivo Colour Black Blue and Rs.450/- Indian Currency Notes were recovered. Apart from that, no other article, watch or jewellery etc. was recovered. The recovered mobile and currency notes were put into separate packets and separate personal search memos were prepared and taken into police possession and one motorcycle make Hero Splendor No. PB-22-D-2369 was also taken into police possession vide

separate memo. The memo was witnessed by the above said witnesses. The act of the above said accused persons Baljinder Singh and Tarsem Singh keeping in their possession 100 grams heroin attracts the offence punishable under Section 21/61/85 of NDPS Act.”

Learned counsel appearing on behalf of the petitioner contends that the recovery of 100 grams of heroin had been effected from co-accused Baljinder Singh and Tarsem Singh. The said co-accused nominated the petitioner in their disclosure statements and pursuant thereto, petitioner was arrested on 10.04.2025 and 218 grams of heroin was recovered at the disclosure of the petitioner. Counsel contends that the petitioner does not suffer from any criminal antecedents and that charges in the present case has been framed on 27.01.2026. He contends that out of 15 witnesses cited by the prosecution, none has been examined so far and, as such, the conclusion of trial is likely to take long. He further contends that even though on the last date of hearing i.e. 14.01.2026, the assisting police official had informed that the petitioner is involved in another criminal case bearing FIR No.161 dated 11.09.2024, under Sections 21, 22 and 29 of the NDPS Act, registered at Police Station Sadar, Fazilka, however, the said aspect has been inquired into and it has been informed that as a matter of fact, the aforesaid FIR has been registered against the co-accused Tarsem Singh and not against the petitioner.

State counsel, on the other hand, does not dispute the clean antecedents of the petitioner and that the recovered quantity is an intermediate quantity. It is also not disputed that co-accused of the petitioner namely Baljinder Singh and Tarsem Singh have been granted the concession of regular bail vide orders dated 18.08.2025 and 23.09.2025 passed in CRM-M-

42535-2025 and CRM-M-38625-2025 respectively.

Having heard the learned counsel for the parties and taking into consideration the period of custody undergone by the petitioner, his clean antecedents and the recovered quantity being intermediate, the stage of the trial where none of the witnesses has been examined so far and, as such, the conclusion of trial shall take long and bearing in mind that co-accused of the petitioner namely Balwinder Singh and Tarsem Singh have been granted concession of regular bail by this Court, I deem it appropriate to allow the present petition. Accordingly, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

February 04, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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