



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

227

CRM-M-56100-2025

GURJANT SINGH @ JANTY

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CRM-M-39354-2025

AJAY SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

Decided on : 13.01.2026

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: None for the petitioner (in CRM-M-56100-2025), and
Mr. Rishu Mahajan, Advocate,
for the petitioner (in CRM-M-39354-2025).

Mr. Jasdeep Singh, Addl. AG, Punjab.

SANJAY VASHISTH, J.

1. By this common order, both the present petitions stand disposed of, as common facts are involved in both the petitions. For the sake of convenience, facts are borrowed from CRM-M-56100-2025.
2. Petitioner – Gurjant Singh alias Janty has filed petition i.e. CRM-M-56100-2025 under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail, in case, FIR No.18 dated 26.02.2025 registered under Sections 21(C) and 29 of NDPS Act, at Police Station Khalra, District Tarn Taran.



3. Petitioner – Ajay Singh has filed petition i.e. CRM-M-39354-2025 under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail, in case, FIR No.18 dated 26.02.2025 registered under Sections 21(C) and 29 of NDPS Act and sections 10/11/12 of Air Craft Act, 1934, at Police Station Khalra, District Tarn Taran.

Contentions made on behalf of petitioner – Gurjant Singh @ Janty

(i) Learned counsel for the petitioner contends that, as per the allegations, on 26.02.2025, members of the police party had laid a *naka* at village Narli Drain. After some time, a car carrying four occupants was noticed approaching the *naka*. Upon seeing the police party, two persons, sitting on the left side of the car (one on the front passenger seat and the other on the rear seat), attempted to throw polythene bags from their hands. They were apprehended on the spot. The person sitting on the front passenger seat disclosed his name as Lovepreet Singh @ Labba, while the person sitting behind him disclosed his name as Gurlal Singh. From the polythene bag allegedly thrown by Lovepreet Singh @ Labba, 255 grams of heroin was recovered, whereas 254 grams of heroin was recovered from the polythene bag thrown by Gurlal Singh. The vehicle was being driven by Sajanpreet Singh, and the fourth occupant, namely Gurjant Singh @ Janty (petitioner herein), was sitting behind the driver.

Learned counsel submits that the core issue before the trial Court would be whether the petitioner was in conscious possession of the contraband, which was allegedly attempted to be discarded by the other



two co-accused from their own possession. It is argued that this aspect can only be adjudicated at the final stage of the trial.

It is further contended that merely occupying the rear seat of the car does not establish that he had prior knowledge of, or any connection with, the contraband allegedly in the possession of the other occupants of the vehicle.

(ii) Learned counsel further argues that petitioner has been falsely implicated in the present case, as no recovery whatsoever has been effected from his possession. It is also submitted that he has been arrayed as an accused only to inflate the number of accused persons, particularly as he is already known to the police on account of his alleged involvement in four other NDPS cases. However, it is pointed out that he has already been granted bail in all those cases. Thus, counsel prays for grant of regular bail to the petitioner in the present case.

Factual assertions made in the petition i.e. CRM-M-39354-2025 on behalf of petitioner – Ajay Singh

(i) In the absence of any representation on behalf of the petitioner, upon perusal of the averments made in the petition, it is noticed that petitioner has not been named in the FIR and has been implicated in the present case solely on the basis of the disclosure statement of the co-accused, namely Lovepreet Singh, from whom 255 grams of heroin was allegedly recovered, alleging therein that the said recovered contraband had been supplied by the petitioner.

(ii) It is further pleaded that petitioner has been falsely implicated in the present case, as there is no independent or corroborative



evidence available against him, except of the bald disclosure statement of the co-accused. Moreover, petitioner is a young person aged about 30 years and has been implicated due to personal vendetta. It is asserted that his entire life and future are at stake, particularly in view of the fact that he has no prior criminal antecedents and is a first-time offender. Consequently, petitioner seeks the grant of regular bail in the present case.

Contentions addressed on behalf of the State

(i) In response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificates of both the petitioners dated 12.01.2026 in Court today, which are taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

(ii) As per the custody certificates, both the petitioners in the present case have already undergone incarceration for a period of 10 months and 08 days. Petitioner – Gurjant Singh alias Janty is involved in other criminal cases; however, no other case has been registered against petitioner – Ajay Singh.

(iii) Learned State counsel has also filed status report dated 12.01.2026, which is taken on record. Registry is directed to tag the same at the appropriate place on the file.

(iv) Paragraph Nos.6 and 7 of the status report, describing the role of both the petitioners, are reproduced here under:-



“6. ROLE OF THE PETITIONER GURJANT SINGH @ JANTY:

That on the explained circumstances above, as on 26.02.2025, a car was intercepted by the police officials, petitioner Gurjant Singh @ Janty and co-accused Lovepreet Singh, Gurlal Singh and two packets containing 255 grams and 252 grams of heroin were recovered. In total 507 grams of heroin was recovered, which falls within the purview of commercial quantity as given in the schedule of NDPS Act. The petitioner has been implicated on the basis of Section 29 of NDPS Act. Hence, the petitioner is not liable to get the relief of bail from the Hon'ble Court.

7. ROLE OF THE PETITIONER AJAY SINGH

That on the explained circumstances above, the petitioner Ajay Singh has been implicated on the basis of the disclosure statement of co-accused Lovepreet Singh from whom 255 grams of heroin was recovered. That Lovepreet Singh has recorded a specific statement that the heroin recovered from his possession was obtained by him from the petitioner Ajay Singh and one Bobby Singh. That, as the petitioner is alleged to have supplied a commercial quantity of heroin to the main accused. Therefore, the petitioner is also liable to face the same liability and consequences as the main accused. As the petitioner is responsible for the recovery of commercial quantity of contraband. Therefore, the present case is hit by the rigorous of Section 37 of NDPS Act. Hence, the petitioner is not entitled to the discretionary relief of the bail.”



(v) While opposing the grant of bail to both the petitioners in the present case, learned State counsel submits that if concession of bail is extended to the petitioners, there is every likelihood of influencing the prosecution witnesses, disturbance of law and order, and a reasonable apprehension that petitioners may indulge in similar offences in the future.

With respect to petitioner Ajay Singh, it is submitted that during the course of investigation, he was arrested on 02.03.2025 pursuant to a raid, during which 39 grams of heroin was allegedly recovered from his possession. It is further submitted that another accused, namely Bobby Singh, is yet to be arrested.

(vi) Learned State counsel further contends that the offence allegedly committed by the petitioners is not against an individual but is an offence against society at large and, therefore, their bail petitions deserve dismissal. However, learned State counsel is unable to point out any corroborative evidence, such as telephonic communication or a money trail between the parties, having been collected by the investigating agency.

Conclusion

(i) This Court has heard the submissions addressed by learned counsel for the parties and has also perused the record available before it.

(ii) In view of the totality of the circumstances, nature of the facts and allegations levelled against the petitioner-Gurjant Singh @ Janty, factors noticed here above, and the period of incarceration already



undergone by him, this Court deems it appropriate to grant the concession of bail to him.

(iii) As regards petitioner—Ajay Singh, this Court finds that a recovery of 39 grams of heroin was effected from his possession, which is much below the threshold of non-commercial quantity. Coupled with the fact that he is in judicial custody for a period of more than ten months and no other criminal case is stated to have been registered against him, this Court deems it appropriate to extend the concession of bail to him, as well.

(iv) **Consequently, prayer made in both the present petitions is allowed.** Petitioners – Ajay Singh and Gurjant Singh alias Janty are ordered to be released on bail, subject to their 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.

(v) Needless to observe that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

(vi) 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.

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- (vii) It is further made clear that if, in future, petitioners are directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.
- (viii) Both the petitions stand disposed of.
- (ix) A photocopy of this order be placed on the file of other connected case.

(SANJAY VASHISTH)
JUDGE

13.01.2026
Lavisha

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