

2026:PHHC:021359



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

228+106

CRM-44798-2025 in/and
CRM-M No.58425 of 2025
Date of Decision: 11.02.2026

Daler Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Charanjit Singh Baahia, Advocate and
Mr. Brijesh Nandan, Advocate,
for the applicant-petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

CRM-44798-2025

The application is allowed, as prayed for and document
Annexure P-1 is taken on record.

Main Case

1. The present petition has been filed under Section 483 of the
Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the
petitioner seeking grant of regular bail in case bearing FIR No. 298 dated
31.12.2023 registered under Sections 21 and 29 of Narcotic Drugs and
Psychotropic Substance Act, 1985 (for short 'NDPS Act') and Section 25
of Arms Act, 1959 (For short "Act, 1959") (Sections 21(c), 23, 25 and

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27-A of NDPS Act and Sections 25(6), 25(7) and 25(8) of Act, 1959 were added later on) at Police station Islamabad, District Police Commissionerate Amritsar.

2. As per the allegations, on 31.12.2023, a secret information was received to the effect that the accused Sandeep Singh @ Laadi and Roshan Singh were having connection with one Manpreet Singh @ Monu residing in the USA and who, in connivance with notorious smugglers of Pakistan was indulged in the supply of contraband, arms and ammunition for bringing all these from Pakistan and the above named persons were indulged in the same business along with him. It was also informed that at that moment, they were present in a Verna car in the area of Guru Nanak Dev University and could be apprehended with illegal weapons and drugs, if raid was conducted. Believing the secret information to be true, a raiding party was immediately formed. Ruqa was sent to the police station. The above named Sandeep Singh and Roshan Singh were apprehended from the spot. On conducting their personal search as well as search of the vehicle, 19 kgs of heroin, one pistol 9 MM glock, one country made pistol, twelve live cartridges and one electronic scale were recovered from the car. They were formally arrested. The recovered articles were taken into possession. Accused Sandeep Singh suffered disclosure statement on the basis of which drug money of Rs.15 lakh, 3 more pistols and live cartridges were recovered from his rented accommodation. On his disclosure, the petitioner and some other persons

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petitioner was his associate who on his instructions had once brought 03 kgs. of heroin from Batala. The petitioner who was already in custody in some other case was joined into investigation of this case through production warrants and was formally arrested on 10.06.2024. He too suffered a disclosure statement admitting that he had formed a gang with the co-accused Sandeep Singh @ Laddi and used to supply the contraband given by accused Sandeep Singh @ Laddi. In November 2023, he had brought 03 kg. of heroin on Activa from Batala for which he had received a sum of Rs.10,000/- from accused Sandeep Singh @ Laddi. Some other accused were subsequently arrested. Investigation now stands concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement allegedly suffered by co-accused Sandeep Singh @ Laddi which cannot be considered to be admissible in evidence. He was not named in the FIR. No recovery has been effected from him. He is in continuous custody w.e.f 10.06.2024. There are no chances of conclusion of trial in near future. His prolonged incarceration militates against the provisions of Article 21 of Constitution of India. Similarly situated co-accused have been extended benefit of bail. It is, therefore, argued that he deserves to be released on bail.

4. Status report and custody certificate have been filed. Learned Assistant Advocate General, Punjab has argued that taking into consideration the gravity of the allegations, the fact that commercial quantity

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of contraband was recovered in the case and that the rigors of Section 37 of NDPS Act are attracted, the petitioner does not deserve to be extended benefit of bail.

5. This Court has considered the rival submissions.

6. The petitioner has been nominated in this case on the basis of the disclosure statement suffered by co-accused with the allegations that he was also involved in selling heroin with him. However, a perusal of the contents of the FIR shows that the petitioner was neither named in the secret information nor any subsequent recovery is shown to have been effected from him. The petitioner was already in custody when he was nominated in this case and there is nothing on record to show that he was indulged in subject crime by making phone calls. Investigation has since been completed and *challan* has been presented before the Court concerned. The trial is likely to take time. The petitioner is in custody since 10.06.2024. The co-accused, who were also nominated on the basis of the disclosure statements, have already been granted concession of regular bail by this Court. Therefore, keeping in view the discussion as made above, this Court is of the considered opinion that no useful purpose would be served by keeping the petitioner in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned. However, it will be open for the



prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

11.02.2026
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No