



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

126

CRM-M-58706-2025
Decided on : 19.02.2026

Jagbir Singh @ Jagga . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Amit Arora, Advocate
for the petitioner(s).

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

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 here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Jagbir Singh @ Jagga	53	20.03.2025	21(B), 29 of NDPS Act, 1985 [S. 21(C) of NDPS Act, added later on]	Chheharta	Amritsar

2. As per case of the prosecution, on 20.03.2025, accused, namely, (i) Aalam Arora and (ii) Manmeet @ Gullu, were apprehended and from their possession, 210 grams of heroin was recovered. On 21.03.2025, both the arrested accused suffered their respective disclosure statements to the effect that the said contraband had been supplied to them by one Mandeep Kaur.

Accordingly, accused Mandeep Kaur was also arrested and, on the basis of her disclosure statement, recovery of 5.183 kg of heroin was effected. She suffered two disclosure statements on 21.03.2025, wherein she disclosed the name of the present petitioner by stating that he was working as a courier boy, collecting contraband from the border area and delivering the same to the aforesaid accused. In another disclosure statement, she



further stated that it is a larger racket, in which her brother Jobanpreet Singh, who is already in custody, is also involved.

3. Learned counsel for the petitioner argues that the petitioner has been falsely implicated in the present case. Neither his name finds mention in the FIR, nor any narcotic substance has been recovered from his possession. It is submitted that when the petitioner was arrested on 22.03.2025, except for the disclosure statement of co-accused Mandeep Kaur, no other connecting evidence was available with the prosecution to establish his involvement in any manner in the alleged offence.

Further argues that even if the allegations are taken to be true, the same are based solely upon inadmissible evidence, i.e., disclosure statement of a co-accused. It is also contended that the petitioner is neither a consumer of narcotic substance nor directly involved in its sale.

Additionally, it is pointed out that no other case of similar nature has ever been registered against the petitioner in his past career. Thus, in view of the above, he prays for grant of concession of regular bail to the petitioner.

4. On the other hand, learned State counsel has filed the custody certificate dated 18.02.2026 in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

A copy thereof has been handed over to learned counsel for the petitioner.

5. Learned State counsel, while vehemently opposing the prayer for bail, submits that it is a case involving huge recovery of heroin, i.e., at the first instance, 210 grams from accused Aalam Arora and Manmeet @ Gullu, and thereafter, on the basis of their disclosure statements, further recovery of 5.183 kg of heroin from co-accused Mandeep Kaur. It is submitted that the petitioner was actively involved in the said chain, as per her disclosure statement, by delivering the contraband after collecting it from a designated place.

Further submits that the alleged offence is grave in nature and falls within the ambit of Section 37(1)(b) of the NDPS Act. It is also argued that offences under the NDPS Act have serious social ramifications,



particularly affecting the youth of the society, and therefore, releasing the petitioner on bail at this stage may send a wrong signal. It is further urged that his release may hamper the fair progress of the trial. Accordingly, prayer for dismissal of the bail petition is made.

6. Having considered the rival submissions and perused the material available on record, this Court finds that no recovery has been effected from the petitioner and his alleged implication rests solely upon the disclosure statement of a co-accused, which, in isolation, does not constitute substantive evidence and is otherwise inadmissible in law. At this stage, there appear reasonable grounds to believe that the petitioner may not be guilty of the alleged offence, subject to the prosecution proving its case by leading cogent evidence before the trial Court.

7. It is further noticed that challan was submitted on 15.09.2025 and thereafter charges were framed on 29.01.2026, however, the process of recording of prosecution evidence has not yet commenced, as out of total cited 15 prosecution witnesses, none has been examined so far. Thus, conclusion of trial is likely to take considerable time.

It is also noticeable that as per custody certificate, petitioner has undergone incarceration for a period of about 10 months and 24 days and he is about 19 years of age. He is not shown to be involved in any other case of similar nature under the NDPS Act. In such circumstances, he deserves an opportunity to reform and rehabilitate himself in society.

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.

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

9. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

10. 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



CRM-M-58706-2025

- 4 -

cancelled.

11. Petition stands **disposed of**.
 Pending misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

February 19, 2026
J.Ram

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