

2026:PHHC:031920



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(114) two cases	CRM M-61841-2024
	Date of Decision : 26.02.2026
Sahib Singh @ Sabi	Petitioner(s)
	Versus
State of Punjab	Respondent(s)
	CRM-M-16796-2025
Harjit Singh	Petitioner(s)
	Versus
State of Punjab	Respondent(s)

CORAM : HON'BLE MR.JUSTICE N.S.SHEKHAWAT

Present:- Mr. Aditya Anand, Advocate for the petitioner (s).
in CRM M-61841-2024.

Mr. Sidhant Vermani, Advocate, for the petitioner
in petition CRM-M-16796-2025.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.SHEKHAWAT (Oral):

1. This order shall dispose off two petitions,
i.e., CRM M-61841-2024 titled as “Sahib Singh @ Sabi Vs. State of
Punjab” and CRM-M-16796-2025 titled as “Harjit Singh Vs. State of

Punjab” for grant of concession of regular bail in a case arising out of FIR No. 182 dated 182 dated 29.08.2024 registered under Sections 21/21(C)/29/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Sections 25/54/59 of the Arms Act registered at Police Station Islamabad, District Amritsar.

2. As per the case set up by the prosecution, on receipt of secret information, Lovepreet Singh and Jagdish Singh were arrested by the police and 352 grams of heroin was recovered from each of the accused. Consequently, both of them were apprehended by the police at the spot itself. Later on, both the accused suffered disclosure statement and on the basis of their disclosure statement, Sahib Singh @ Sabi (petitioner in CRM M-61841 of 2024) was arrested on 29th August 2024. Further, on a statement made by Sahib Singh @ Sabi in police custody, Harjit Singh was arrested as an accused in the present case.

3. Learned counsel appearing on behalf of Sahib Singh @ Sabi (petitioner in CRM M-61841 of 2024) has vehemently argued that in the present case, except the disclosure statement suffered by his co-accused, there is no evidence against him. He further contends that during the course of investigation, police had planted the recovery of three pistols and one .30 pistol on him. He further contends that he was arrested in the present case on 29th August 2024 and is in custody since then. Learned counsel further contends that so

far, only 01 witness has been examined out of total 15 witnesses and the conclusion of the trial may take quite a long time. Apart from that, no contraband was recovered from him and his case is clearly distinguishable from the case of Jagdish Singh and Lovepreet, who are already in custody.

4. Learned counsel appearing on behalf of Harjit Singh (petitioner in CRM M-16796 of 2025) also submits that he was arrested in the present case on 2nd September 2024 and is in custody for the last about one year and six months. Even no recovery was effected from him and he has been nominated on the basis of the disclosure statement suffered by Sahib Singh @ Sabi.

5. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioners on the ground that there are serious allegations against the petitioners and the petitioners are not entitled for the concession of regular bail. However, he admits that there is no other case against him and they were never involved in any other criminal activity.

6. I have heard learned counsel for the parties and perused the record.

7. It is not a dispute that both the petitioners are in custody for the last about one year and six months. The entire prosecution case primarily is based on the statements made by the official witnesses and in the considered opinion of the Court, the petitioners

may not be in a position to influence the official witnesses. Even, the prosecution has been able to examine only one witness so far, and their custody does not serve any purpose.

8. In view of the above, without commenting any further on the merits, the present petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned subject to the following conditions:-

(i) The petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade them to disclose such facts to the Court or to any other authority.

(ii) The petitioners shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioners shall not absent themselves from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioners shall surrender their passports, if any, (if already not surrendered), and in case they are not holder of the same, they shall swear an affidavit to that effect.

(v) The petitioners shall also file their affidavit before the concerned Court, mentioning their ordinary place of residence and number of mobile phone, which shall be used by them during the pendency of the trial. In case of change of place of residence/mobile number, they shall share the details with the concerned Court/learned Trial

Court.

(vi) *In case, the petitioners get involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously and the prosecution shall be at liberty to move an appropriate application for cancellation of bail granted to the present petitioners.*

(vii) *The concerned Court may insist two heavy local surties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioners.*

(viii) *The petitioners shall report every 1st Monday in English calander month before the concerned SHO till the conclusion of the trial and SHO shall mark their presence by making an entry in the Rojnamcha. In case, they do not report on every 1st Monday before the concerned SHO, it shall be viewed seriously and the concession granted to them shall be liable to be cancelled and the State of Punjab shall be at liberty to move an appropriate application in this regard.*

9. A copy of this order be also placed on the file of connected case.

(N.S.SHEKHAWAT)
JUDGE

26.02.2026
amit rana

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