



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-62719-2025
Decided on : 23.03.2026

Shera Singh . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Vikram Bhaskar, Advocate
for the petitioner(s).

Mr. Vinay Malhotra, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The instant second 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
Shera Singh	204	07.11.2023	21(C), 27(A) and 29 of NDPS Act, 1985	Dinanagar	Gurdaspur

2. As per the case of the prosecution, on 07.11.2023, in the area of High Way Sugar Mill Paniar, one private bus bearing no. DL01-N-9011, which was coming from Pathankot side was signalled to stop. On checking, two accused persons were apprehended on suspicion who were holding kit in their hands. On enquiry, they disclosed their name as Akashdeep Singh @ Akash and Shera Singh @ Baba (petitioner herein). On checking, 390 grams heroin was recovered from accused Akashdeep Singh @ Akash, whereas, on checking the kit of accused Shera Singh, the drugs money of Rs. 2,61,400/- was recovered.

On further interrogation, they disclosed to have procured the said contraband



from one Palwinder Singh @ Baba, r/o Chattiwind and they used to deliver further to one Mahanshu Gujjar. On their disclosure statement, accused Mahanshu Gujjar was also nominated in the present case.

3. The first bail petition filed by the petitioner was dismissed as withdrawn at that stage vide order dated 09.07.2025 passed by the Coordinate Bench of this Court in CRM-M-5156-2025 (Annexure P-4).

It is further submitted that the petitioner is a young person aged about 24 years and since the date of his arrest, i.e., 07.11.2023 (wrongly mentioned as 07.11.2025 in the status report) he is inside the jail. No other case has ever been registered against him. Even in the present case, recovery from the petitioner is only of Rs.2,61,400/- allegedly as drug money, whereas from the co-accused – Akashdeep Singh @ Akash, 390 grams of heroin has been recovered. Besides, one of the co-accused, namely Palwinder Singh @ Babba, who was also involved in the present case on the basis of disclosure statement, has already been granted the concession of regular bail by the Coordinate Bench of this Court vide order dated 04.09.2024 passed in CRM-M-23785-2024 (Annexure P-3). Thus, learned counsel prays for grant of regular bail to the petitioner.

4. On the other hand, learned State counsel, while vehemently opposing the prayer for bail, submits that a commercial quantity of 390 grams of heroin has been recovered from the bag of the co-accused Akashdeep Singh @ Akash, and the petitioner was accompanying the said accused at the relevant time. Thus, the petitioner is also liable for the recovered quantity. It is contended that merely on account of the fact that petitioner is inside the jail for a period of 02 years, 04 months and 09 days,



he does not deserve the concession of regular bail.

5. I have heard learned counsel for the parties and perused the relevant material available on record.

6. Undisputedly, petitioner is aged about 24 years and was never found involved in any other criminal case and said fact even is endorsed to be correct by learned State counsel. It is also a matter of record that the recovery of 390 grams of heroin was effected from the bag of co-accused – Akashdeep Singh @ Akash, whereas no narcotic contraband could be recovered from the possession of the petitioner when his bag was searched separately.

So far as the recovery of Rs.2,61,400/- is concerned, whether the said amount is connected with any alleged drug transaction or is otherwise a personal amount of the petitioner, would be a matter to be adjudicated during the course of trial, along with the defence that may be taken by the petitioner.

At this stage, taking into consideration the incarceration period inside the jail for a period of more than 02 years and 04 months and the fact that no contraband has been recovered from the petitioner, this Court is of the considered view that further incarceration of the petitioner is not warranted.

7. In view of the totality of circumstances, and the nature of allegations levelled against the petitioner, including the factors noticed here-above, this Court deems it appropriate to grant the concession of regular bail to the petitioner.

Consequently, prayer made in the present petition is **allowed**.



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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 cancelled.

11. Petition stands **disposed of**.

Misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

March 23, 2026

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No