



CRM-M-65601-2025

-1-

**118 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-65601-2025**

Date of Decision: 16.03.2026

Jashandeep Singh @ Jashan

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Ms. Vipandeep Kaur, Advocate for
Mr. Vikramjeet Singh, Advocate, for the petitioner.
Mr.Raj Karan Singh, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.53 dated 21.04.2025, registered under Sections 21, 22, 29 of NDPS Act, at Police Station Barnala, District Barnala.

2. Succinctly, the facts of the case are that the police party, while on patrolling on 21.04.2025, received a secret information to the effect that Karamveer Singh @ Kali and Jagsir Singh @ Jordan are involved in selling of intoxicant tablets and narcotic substances, i.e. Chitta. It was informed that they would bring it from outside and sell the same in the area of Handiaya town. It was further informed that both were seen near the cremation ground on the Jaggoana Link Road, Handiaya and in case of raid, they could be apprehended along with the contraband. On receiving the secret information, the raiding party was constituted and reached the place as disclosed in the secret information, where they saw two persons were sitting. However, on suspicion, both were apprehended by the police party. On asking, they disclosed their names to be Karamveer Singh @ Kali and Jagsir Singh @ Jordan. They were holding a polythene bag and were suspected to be carrying some contraband in the same, thus, search of the same was conducted. On conducting the search of the polythene bag, 55 intoxicant



tablets and 4 grams of chitta/heroin were recovered. They failed to produce any license regarding the conscious possession of the same, thus, the FIR was registered and both were arrested on the spot. On registration of the FIR, investigation commenced. During the investigation, they made disclosure statement about the complicity of co-accused, namely, Lovepreet Singh; Vikas Gupta; and Lakhvir Singh @ Pitu @ Lakhveer Singh to be the purchasers and Jashandeep Singh @ Jashan (petitioner) to be the supplier of the contraband and thus, they all were arrayed as accused in the present case. Resultantly, the petitioner was arrested on 04.05.2025 and from his possession, 50 loose intoxicant tablets containing Etizolam were recovered. On completion of the investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Judge, Special Court, Barnala praying for the grant of bail. However, after hearing both the sides and finding no merit in the same, learned Court declined the bail application filed by all the petitioner vide order dated 29.10.2025. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. She has submitted that the petitioner was not named in the secret information. It is submitted that the petitioner was arrayed as an accused on the basis of disclosure statement of the co-accused from whom the alleged recovery 10.83 grams of Etizolam was made and the petitioner was found to be the alleged supplier of the contraband. She contends that recovery of 50



CRM-M-65601-2025

-3-

tablets containing Etizolam had been planted upon the petitioner. To buttress her arguments, she submits that similarly situated co-accused, namely, Lovepreet Singh, Vikas Gupta, and Lakhvir Singh @ Pitu @ Lakhveer Singh, who are also arrayed as accused on the basis of the disclosure statement, have already been granted bail by this Court vide common order dated 26.02.2026 passed in CRM-M-33013-2025. It has been contended that the petitioner has no criminal antecedents, as he never been involved in any other case, thus, his false implication in the present case is writ large. She, thus, submits that in the overall facts and circumstances of the case, the petitioner deserves to be granted regular bail.

4. Status report by way of affidavit of Satvir Singh, PPS, Deputy Superintendent of Police, Sub-Division Barnala, District Barnala filed in Court is taken on record.

Learned State counsel has opposed the submissions made by learned counsel for the petitioner. He has submitted that though complicity of the petitioner was surfaced during the investigation as supplier of recovered contraband, however, 50 tablets containing 8.55 grams of Etizolam were recovered from him, which is a commercial quantity and thus, provisions of Section 37 of the NDPS Act are attracted. On instructions, he submits that out of total 15 prosecution witnesses, no witness has been examined so far. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner has been arrayed as an accused on the basis of the disclosure statement of the co-accused. This Court has already granted

bail to the co-accused, namely, Lovepreet Singh, Vikas Gupta, and Lakhvir



Singh @ Pitu @ Lakhveer Singh, who were arrayed as accused on the basis of disclosure statement of the co-accused. The custody certificate would show that the petitioner has suffered incarceration of 10 months & 11 days as on 15.03.2026. It further shows that the petitioner has no criminal antecedents. Out of 15 prosecution witnesses, no witness has been examined.

6. As held by the Hon'ble Supreme Court in ***Mohd Muslim @ Hussain Vs. State (NCT of Delhi), 2023 LiveLaw(SC)260***, this Court is of the opinion that the case of the petitioner is covered by the ratio of law laid down by the Hon'ble Supreme Court. In the abovesaid case Hon'ble Supreme Court expressed its views as under:-

19. A plain and literal interpretation of the conditions under Section 37 (i.e., that Court should be satisfied that the accused is not guilty and would not commit any offence) would effectively exclude grant of bail altogether, resulting in punitive detention and unsanctioned preventive detention as well. Therefore, the only manner in which such special conditions as enacted under Section 37 can be considered within constitutional parameters is where the court is reasonably satisfied on a prima facie look at the material on record (whenever the bail application is made) that the accused is not guilty. Any other interpretation, would result in complete denial of the bail to a person accused of offences such as those enacted under Section 37 of the NDPS Act.

20 xxxxx

21it would be important to reflect that laws which impose stringent conditions for grant of bail, may be necessary in public interest; yet, if trials are not concluded in time, the injustice wrecked on the individual is immeasurable.

22 xxxxx

23. There is a further danger of the prisoner turning to crime, "as crime not only turns admirable, but the more professional the



crime, more honour is paid to the criminal”²² (also see Donald Clemmer’s ‘The Prison Community’ published in 1940²³). Incarceration has further deleterious effects - where the accused belongs to the weakest economic strata: immediate loss of livelihood, and in several cases, scattering of families as well as loss of family bonds and alienation from society. The courts therefore, have to be sensitive to these aspects (because in the event of an acquittal, the loss to the accused is irreparable), and ensure that trials – especially in cases, where special laws enact stringent provisions, are taken up and concluded speedily.’

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

8. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

16.03.2026
sharmila

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No