

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208

2026:PHHC:055141



CRM-M-10377-2026 (O&M).
Date of decision: 09.04.2026.

JARMAN SINGH ALIAS BAHMAN

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

PRESENT Mr. Rishu Mahajan, Advocate,
for the petitioner(s).

Dr. (Ms.) Savi Nagpal, AAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

This is the third petition filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in
case bearing FIR No.19 dated 27.01.2024, under Section(s) 21, 21(c), 27-A,
25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985,
registered at Police Station Gharinda, District Amritsar. The second petition
seeking grant of regular bail was withdrawn on 19.09.2025.

As per the case of the prosecution, police party was present at Adda Attari, in connection with patrolling and in search of bad elements when secret information was received to the effect that two persons namely Jarmal Singh @ Bahman and Akashdeep Singh, who are indulging in sale of heroin and have links with smugglers based in Pakistan, are coming in a car bearing registration No.PB-36-E-2601 and in case they are apprehended, a huge quantity of heroin may be recovered from them. Accordingly, a check point was laid down and the petitioner herein and co-accused Akashdeep Singh were apprehended. During personal search of the petitioner herein, one mobile make RealMe was recovered. It is alleged that the petitioner disclosed that he procures heroin through drones from Pakistan and thereafter, he along with co-accused Akashdeep Singh sell the same. The petitioner herein got recovered two packets containing 515 grams heroin each. After excluding the packaging material, the seized contraband turned out to be weighing 500 grams each i.e. total 1000 gram of heroin.

Learned counsel appearing on behalf of the petitioner contends that the petitioner has been falsely implicated in the present case and that the mandatory provisions of the NDPS Act, have not been complied with. He contends that notwithstanding the said statutory safeguards, the petitioner has already undergone an actual custody of two years and two months and out of 16 witnesses cited by the prosecution none has been examined so far. He further contends that the petitioner has clean antecedents and is not involved in any other criminal case. It is submitted that there is no cogent evidence on the basis whereof the information was conveyed to the Investigating Agency that the petitioner is indulging in narcotics trade and that even as per the challan so filed, there is nothing on the record, on the basis whereof, it can be

assumed that the petitioner had in any manner outsourced any contraband whatsoever from across the Border. He also contends that no call details or any incriminating data has been retrieved from the phone recovered from the petitioner to corroborate the initial allegations that some information was received regarding trafficking of the contraband. He further contends that there is no likelihood of the petitioner being involved in any other offence.

State counsel, on the other hand, does not dispute that nothing incriminating has been recovered from the phone recovered from the petitioner. She further does not dispute that out of 16 witnesses cited by the prosecution, no witness has been examined so far despite the petitioner having undergone an actual custody of 02 years and 02 months. It is further not disputed that said delay is not attributed to the petitioner herein and that the petitioner is not involved in any other criminal case

Having heard counsel for the parties, without commenting any further on the merits of the case and taking into consideration the period of custody already undergone by the petitioner, the stage of the trial where no witness out of 16 witnesses cited by the prosecution has been examined so far as well as clean antecedents of the petitioner, I deem it appropriate to allow the present petition.

Accordingly, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or

indirectly.

The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

April 09, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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