

**CRM-M-69285-2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****122****CRM-M-69285-2025****Decided on :11.03.2026**

Sarwanjit Singh alias Gola

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Abhaysher Singh, Advocate for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

-.-

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No.56 dated 03.10.2024, under Sections 21/61/85 of NDPS Act (Section 29 of NDPS Act was added vide GDD No.11 dated 05.10.2024), registered at Police Station Arif Ke, District Ferozepur.

2. Learned counsel for the petitioner contends that, as per the allegations, secret information was supplied to the patrolling team headed by SI, stating that Swarnjit Singh @ Gola (petitioner herein) and his mother, Paramjeet Kaur, were allegedly involved in selling heroin and could be apprehended together. Merely on the basis of this information, and without verifying the allegations, young boy(petitioner herein) and his mother were made accused, and FIR was forwarded for registration.

**CRM-M-69285-2025****2**

During the investigation, both petitioner and his mother were arrested, and from the handle of the motorcycle, a polythene bag containing 530 grams of heroin was allegedly recovered. At the relevant time, petitioner was driving the motorcycle, and his mother, Paramjeet Kaur, was the pillion rider. Learned counsel submits that petitioner's mother-Paramjeet Kaur, has already been granted regular bail by this Court vide order dated 16.07.2025 (P-3) passed in CRM-M-35974-2025.

Counsel further submits that petitioner is in custody since 03.10.2024 and has no prior criminal history, and therefore, he deserves the concession of bail.

3. On the other hand, learned State counsel submits that a commercial quantity of heroin has been recovered from the possession of the petitioner, and therefore, no leniency can be extended for the grant of bail.

However, learned State counsel is not in a position to dispute the factual position that petitioner and co-accused-Paramjeet Kaur (mother of the petitioner), have never been involved in any similar activity previously. No plausible explanation has been provided by the State as to why, without effecting recovery at the first instance or waiting for such recovery, young boy(petitioner herein) and his mother were made accused and subjected to registration of the FIR.

4. Counsel for the petitioner further submits that these circumstances raise serious doubts as to whether any credible secret information existed and whether the alleged recovery was planted against the accused. It is highly unusual that a mother and son would collectively

**CRM-M-69285-2025****3**

be involved in smuggling a commercial quantity of narcotic contraband, especially given the absence of any prior criminal history. Moreover, the petitioner is in custody for a period of last 01 year, 05 months, and 07 days, while the co-accused has already been granted bail by this Court. Out of a total of 16 prosecution witnesses, none have been examined so far, and the trial is likely to take considerable time to conclude, thus, prays for grant of regular bail to the petitioner.

5. I have heard Learned Counsel for the parties and perused the paper book and the documents appended thereto.

6. Considering the fact that the petitioner is in custody since 03.10.2024, has no previous criminal record, and co-accused-Paramjeet Kaur (mother of the petitioner), has already been granted bail by this Court, and further considering the fact that none of the 16 prosecution witnesses have been examined so far and trial is likely to take considerable time to conclude, this Court is of the considered view that further incarceration of the petitioner would not serve any useful purpose.

Without commenting on the merits of the case, 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/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an



CRM-M-69285-2025

4

independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

8. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

11.03.2026

Rashmi

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