



SUBHAS MEHLA, J. (ORAL)

1. This order shall dispose of the above-mentioned petitions as all are arising from the same FIR. For the sake of brevity, facts are borrowed from **CRM-M-60046-2025** titled as ***Sandeep @ Giani vs. State of Punjab.***

2. By way of the present petitions filed under Section 483 Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioners are seeking regular bail in case FIR No.99 dated 25.07.2025 registered under Section 21 & 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') at Police Station Division No.7, District Jalandhar.

3. Learned counsel for the petitioners contended that the petitioners have been nominated in the present case only on the basis of disclosure statement made by co-accused, which is inadmissible in evidence; nothing has been recovered from their possession; the petitioners are having clear and clean antecedents and are not involved in any criminal activity; the petitioners are in custody for the last more than 05 months; investigation in the present case is complete and challan has already been presented. As such, the petitioners deserve to be granted the concession of regular bail.

4. Status report dated 10.12.2025 filed on behalf of respondent-State in **CRM-M Nos.60046 & 60747 of 2025** by way of an affidavit of Sh. Parminder Singh, PPS, Assistant Commissioner of Police (Model Town), Police Commissionerate, Jalandhar is taken on record. Learned State counsel has filed custody certificates of the petitioners, which are taken on record. Learned State counsel opposed the prayer made by the petitioners and submitted that the petitioners have been named as supplier of the contraband in the present petition. However, he fairly admitted that nothing has been



recovered from the petitioners; they are nominated on the basis of disclosure statement and are not involved in any other case, as per their custody certificates.

5. Heard.

6. Keeping in view the facts and circumstances of the present cases and the fact that the present petitioners have been involved only on the basis of disclosure statement, which is inadmissible in evidence; no recovery has been effected from the present petitioners as recovery has already been made by the investigating agency before their arrest; the petitioners are having clear and clean antecedents and are not involved in any criminal activity; the petitioners are in custody for the last more than 05 months; investigation in the present case is complete and challan has already been presented; the trial will take sufficient time to conclude and no fruitful purpose would be served by keeping them in custody for any further period, as concession of bail cannot be denied just as a measure of punishment as culpability of accused is to be decided after appreciating evidence adduced by both parties and it is a trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioners.

7. Therefore, without expressing any opinion on the merits of the case, the present petitions filed by Sandeep @ Giani, Udham Singh and Ritik @ Nepali are allowed. The petitioners are ordered to be released on regular bail on their furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. A photocopy of this order be placed on the file of other connected cases.

9. Observations made hereinabove are only for the purpose of disposal of aforementioned bail petitions, lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

February 17, 2026

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(SUBHAS MEHLA)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |