



CRM-M-71915-2025 (O&M) 1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-71915-2025 (O&M)
Decided on : 10.03.2026

BHUPINDER SINGH ALIAS PINDAPetitioner

Versus

STATE OF PUNJABRespondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Ruhani Chadha, Advocate,
for the petitioner.

Mr. Vinay Malhotra, DAG, Punjab.

SANJAY VASHISTH, J.

1. The instant 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 hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Bhupinder Singh alias Pinda, aged about 45 years	16	10.04.2025	21, 29-61-85 of NDPS Act, and 111 of BNS	Narot Jaimal Singh	Pathankot

2. Learned counsel for the petitioner contends that case of the prosecution is that on 10.04.2025, accused Mohammad Sharif, who was lodged in the lock-up of the police station in connection with FIR No. 10 dated 07.03.2025, registered under Sections 21, 29, 27-A, 61 and 85 of the NDPS Act and Section 111 of the BNS, was taken out of the lock-up by the SI/SHO for the purpose of investigation. During the course of investigation, the said accused allegedly made a disclosure statement stating that he had



ordered a consignment of 500 grams of heroin from Pakistan through a drone on 07.01.2025 at about 5:30 PM after making a phone call. Accused also disclosed that out of the said consignment, he had given 10 grams of heroin to Surjit Kaur, while the remaining quantity had been sold in retail to certain Gujjars from the J&K side, whose names he did not remember. The remaining heroin, according to him, had been concealed in a polythene envelope buried in the bushes on the banks of the Ujj River behind the cremation ground of village Bamial, and only he knew about the said concealment and could get the same recovered.

Pursuant to the said disclosure statement, the police officials along with co-accused Mohammad Sharif proceeded in a government vehicle bearing No. PB-65-BG-5144 to the said location behind the cremation ground of village Bamial on the banks of the Ujj River. As per the prosecution, the co-accused Mohammad Sharif got recovered a polythene envelope which had been buried by him in the bushes at the said place. Upon checking, heroin was allegedly recovered from the said envelope and on weighing, the same was found to be 265 grams.

3. It is further the case of the prosecution that on 13.04.2025, co-accused Mohammad Sharif made another disclosure statement stating that he used to order consignments of heroin from Pakistan through drones. He stated that although he did not remember the exact date, sometime in the month of January, when there was dense fog, he along with co-accused Lalu and Bhupinder Singh (present petitioner) had sent a location from the mobile phone of Bhupinder Singh to Pakistan for delivery of heroin through a drone near the Ujj River at Bamial, close to his house.



He further disclosed that Bhupinder Singh used to contact a person named Khan in Pakistan through his mobile phone to place orders for heroin and would hand over his phone to Lalu for the same purpose. It was further stated that after the location was shared, the drone would drop packets of 500 grams of heroin, and within about 30 minutes, the drone would make four rounds at the same location, thereby dropping a total of 2 kilograms of heroin. Thereafter, he and co-accused Lalu would collect the heroin so dropped and deliver the same to Bhupinder Singh, who in return allegedly paid them Rs.50,000 in cash for each round. On the basis of the said disclosure statement, present petitioner and co-accused Lalu were nominated in the present case.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that no recovery of any contraband has been effected from the petitioner, despite the fact that he is in custody since 17.04.2025, i.e., for a period of 10 months and 20 days.

It is further submitted that none of the mandatory provisions of the NDPS Act have been complied with in the present case.

5. Learned counsel further submits that co-accused Lalu, who is similarly situated, has already been granted the concession of interim anticipatory bail, vide order dated 30.09.2025, which was subsequently confirmed by this Court, vide order of even date passed in CRM-M-55332-2025.

It is also submitted that petitioner has been arrayed as an accused solely on the basis of the disclosure statement of co-accused Mohammad Sharif, which is inadmissible in evidence in the eyes of law.



6. It is further contended that investigation in the present case stands completed and even charges have not yet been framed, and therefore, conclusion of trial is likely to take considerable time. Thus, learned counsel prays for grant of regular bail to the petitioner in the present case.

7. In response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 09.03.2026 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 10 months and 20 days period inside jail.

8. Learned State counsel has also filed status report dated 25.02.2026 in the Court today and the same is taken on record.

9. Learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, submits that petitioner was the key intermediary who maintained direct communication with a Pakistani national named Khan through Whatsapp for arranging the supply of heroin consignments across the border. Petitioner, in conspiracy with the co-accused Lalu and Mohammad Sharif, was responsible for transmitting the GPS locations to the Pakistani handlers for the precise dropping of heroin consignments through drones.

Keeping in view the gravity of the offence committed by the accused persons in the present case, learned State counsel submits that petitioner does not deserve the concession of anticipatory bail in the present case.



10. This Court has heard the submissions addressed by learned counsel for the parties and has also perused the record available before it.

11. It is noticed that the main accused, Mohammad Sharif, who was already confined in police lock-up, was taken out for investigation and thereafter his disclosure statement was recorded, wherein he named the present petitioner and co-accused Lalu as accused in the present case, leading to the invocation of Section 29 of the NDPS Act against them.

It is also a matter of serious concern that, as a routine practice in the State of Punjab, mandatory provisions of the NDPS Act appear to have been given a complete go-by. Merely on the basis of disclosure statements, persons are being arrested and arrayed as accused in criminal cases without there being any other corroborative or connecting evidence to substantiate the allegations regarding their involvement.

12. Be that as it may, in the present case the veracity and authenticity of the allegations levelled against the petitioner are matters which are required to be examined by the trial Court, during the course of trial. Conclusion of the trial is likely to take considerable time and for the said purpose, petitioner cannot be kept in custody for an indefinite period.

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

Consequently, prayer made in the 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

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Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

14. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

15. Any of the discussion done and recorded here above, 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 independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

16. 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.

17. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

10.03.2026

Lavisha

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**