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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.72931 of 2025
Date of Decision: 19.03.2026**

Anil Saini**..... Petitioner****Versus****State of Punjab****..... Respondent****CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. Sachin Sharma, Advocate
for the petitioner.

Mr. Raj Karan Singh, Asstt. A.G., Punjab.

RAJESH BHARDWAJ, J.

1. Present second petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.65, dated 09.04.2025, under Sections 21-B, 61, 85 of NDPS Act (Sections 21-C, 29, 27-A NDPS Act added later on), registered at Police Station Chheharta, District Amritsar.

2. Succinctly, the facts of the case are that the police party while on patrolling on 09.04.2025 near Miri Piri Academy Bhaini Road, Amritsar, they saw one person coming on the motorcycle from Bhaini Road side, however, on suspicion, he was signalled to stop. On seeing the police, he got perplexed and tried to turn back his motorcycle, however, the motorcycle slipped and fell. The person tried to throw something



wrapped in a plastic envelope after taking out from the right pocket of his pant, however, he was apprehended by the police party. On asking, he disclosed his name to be Satnam Singh @ Sandhu. He was suspected to be carrying some contraband in the plastic envelope and thus, search of the same was conducted. On conducting the search of the plastic envelope, 160 grams of heroin was recovered. He failed to produce any licence regarding the conscious possession of the same, thus, the FIR was registered and he was arrested on the spot. On registration of the FIR, the investigation commenced. During the investigation, complicity of the petitioner, namely, Anil Saini, surfaced and thus, he was arrayed as an accused in the present case. Resultantly, the petitioner was arrested on 11.04.2025. During the investigation, total recovery of 1 Kg 5 grams of heroin was effected and from the petitioner, drug money of Rs.6,00,000/- and the drug money amounting to Rs.40,91,000/- from co-accused, namely, Navjot Singh @ Ansh were effected. 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, Amritsar praying for the grant of regular bail. However, after hearing both the sides and finding no merit in the same, the learned Judge, Special Court, Amritsar declined the bail application filed by the petitioner vide order dated 03.09.2025. Being aggrieved, the petitioner earlier approached this Court praying for the grant of regular bail by way of filing CRM-M-52341-2025, however, the same was dismissed as withdrawn vide order dated 22.09.2025. Hence being aggrieved, the



petitioner is again before this Court praying for the grant of regular bail by way of filing the present second petition.

3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. He has submitted that neither the petitioner was named in the FIR nor any recovery has been effected from him, however, he has been implicated in the present case, on the basis of disclosure statement of co-accused, which is not even an admissible evidence. He has submitted that the recovery of 1 Kg 5 grams of heroin effected in the present case, is from the co-accused and not from the petitioner. He has submitted that at the time of arrest of the petitioner, an amount of Rs.6,00,000/- was recovered from the petitioner, which the police wrongly claimed to be the drug money. He has submitted that the petitioner is behind bars since the date of his arrest, i.e. 11.04.2025, however, there is no material progress in the trial. To buttress his arguments, learned counsel for the petitioner has submitted that the petitioner has no criminal antecedents as he has never been involved in any other case. He has relied upon the decisions passed by Hon'ble the Supreme Court in '*Tofan Singh vs. State of Tamil Nadu*', 2021(4) SCC(1); '*State of Rajasthan vs. Balchand @ Baliy*', 1978 SCR (1) 535; '*Gudikanti Narasimhulu and others vs. Public Prosecutor, High Court of Andhra Pradesh*', 1978 AIR (SCC) 429 and by this Hon'ble Court in '*Bhagwan Singh @ Bhaga vs. State of Punjab*', CRM-M-22312 of 2023, decided on 15.05.2023 etc. in support of his case. He



has submitted that in the facts and circumstances, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned counsel for the State, however, has vehemently opposed the submissions made by learned counsel for the petitioner. He has submitted that complicity of the petitioner has been *prima facie* established during the investigation as he was the supplier of the contraband. He has submitted that the drug money for an amount of Rs.6,00,000/- and one Maruti Suzuki Fronx car were recovered from the petitioner. He has submitted that the drug money for an amount of Rs.40,91,000/- was also recovered from co-accused Navjot Singh @ Ansh. He has further submitted that the total recovery of 1 Kg 5 grams of heroin effected in the present case falls under the category of commercial quantity and, thus, the provisions of Section 37 of NDPS Act are attracted. He has further submitted that in all there are total 06 accused in the present FIR and all are in custody. He, on instructions, has submitted that out of total 22 prosecution witnesses, no witness has been examined so far. He has further submitted that no case for the grant of bail to the petitioner is made out and thus, the present petition deserves to be dismissed.

5. Heard.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that complicity of the petitioner in the present case has been *prima facie* surfaced during the investigation as he was the supplier of the contraband and a drug money amounting to Rs.6,00,000/-



has already been recovered from him. The recovered contraband in the present case weighs 1 Kg 5 grams of heroin, which falls under the category of commercial quantity. Another drug money amounting to Rs.40,91,000/- was also effected from co-accused, Navjot Singh @ Ansh. There are specific allegations against the petitioner that he was dealing with the narcotic substances. Out of total 22 prosecution witnesses, no witness has been examined till date. In all there are total 06 accused persons in the present case and all are in custody. The case is now pending before the learned trial Court for prosecution witnesses. The allegations against the petitioner are serious in nature.

8. Keeping in view the above said position, this Court does not find any ground to release the petitioner on bail at this stage. Hence, the present petition is hereby dismissed.

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

(RAJESH BHARDWAJ)
JUDGE

19.03.2026

<i>rittu</i>	Whether speaking/reasoned :	Yes/No
	Whether reportable :	Yes/No