



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

119-1

CRM-M-73891-2025 (O&M)

Date of decision: 02.04.2026

Sajan

...Petitioner(s)

VERSUS

State of Punjab

...Respondent(s)

119-2

CRM-M-9679-2026 (O&M)

Date of decision: 02.04.2026

Gurjeet Singh @ Geeta

...Petitioner(s)

VERSUS

State of Punjab

...Respondent(s)

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

Present :- Ms. Jaspreet Kaur, Advocate for the petitioner
in CRM-M-73891-2025.

Ms. Sunita Singh, Advocate and
Mr. Gursewak Singh, Advocate for the petitioner
in CRM-M-9679-2026.

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

VINOD S. BHARDWAJ, J. (Oral)

1. Filed by two accused (petitioners herein), for grant of regular bail in case arising out of FIR No.169 dated 30.09.2025, registered under Section(s) 21C, 27, 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib, both these petitions are being decided by a common order. For the facility of reference, the facts are, however, being adverted to from **CRM-M-73891-2025** titled as '*Sajan Vs. State of Punjab*'.

119-1
119-2

CRM-M-73891-2025 (O&M)
CRM-M-9679-2026 (O&M)

2. Separate status reports, by way of affidavits dated 01.04.2026, have been filed by the State today. The same are taken on record.

3. Learned counsel for the petitioners contend that it is a case of chance recovery on 30.09.2025 when the Police party headed by ASI Baldev Singh was present at Tikoni, near Village Burra Gujar-Bhai Mahan Singh Memorial Gate in connection with patrolling and shifting nakabandi and intercepted a motorcyclist who came from the side of village Burra Gujar. On seeing the Police party, the motorcyclist had got perplexed and had tried to turn around but was apprehended by the Police officials. The suspect disclosed his name as Jaj Singh @ Sandeep Singh @ Seepu. He was served with notice in terms of Section 50 of the Narcotic Drugs and Psychotropic Substances Act, 1985 by the Sub Inspector Jagsir Singh (Investigating Officer) with respect to his right of being searched by a Magistrate or a Gazetted Officer. As per the option exercised, a request was made to the Gazetted Officer Mr. Rachhpal Singh, Dy. Superintendent of Police (NDPS Act) to reach at the spot. The written consent of accused/Jaj Singh @ Sandeep Singh @ Seepu was recorded by the DSP and thereafter the search was undertaken. On his search, a polythene was recovered from the bag which contained 1 kg 100 grams of *Heroin*. No other objectionable material was recovered. Accordingly, a case under Section 21(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 was registered against Jaj Singh @ Sandeep Singh @ Seepu. The dope test of accused- Jaj Singh @ Sandeep Singh @ Seepu was also conducted and he was found positive whereupon Section 27 of the Narcotic Drugs and Psychotropic Substances Act, 1985 was also added vide DDR No. 30 dated 01.10.2025. During

119-1
119-2

CRM-M-73891-2025 (O&M)
CRM-M-9679-2026 (O&M)

investigation, Jaj Singh @ Sandeep Singh @ Seepu tendered a statement under Section 23 of the Bharatiya Sakshya Adhiniyam, 2023 and disclosed that the *Heroin* was provided to him by Gurjeet Singh @ Geeta and Sajan (petitioners herein), at the instance of his cousin Babbu son of Mahinder Singh. Accordingly, the petitioners alongwith said Babbu were also nominated as accused under Section 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 vide DDR No.40 dated 04.10.2025.

4. Learned counsel appearing on behalf of the petitioners contends that the petitioners were taken in custody on 05.10.2025 and during interrogation, the petitioners were stated to have suffered a disclosure having jointly led the Police party to a shed located at Ferozepur-Muktsar Sahib Road, near village: Marmallu and got recovered 9 grams of *Heroin* from the wall of the shed. The said *Heroin* was suggested to be segregated out of 1.100 kg of *Heroin* that was found in the possession of co-accused/Jaj Singh @ Sandeep Singh @ Seepu.

5. Learned counsel appearing on behalf of the petitioners contends that as per the case of the prosecution, the drugs were to be supplied by the petitioners to Jaj Singh @ Sandeep Singh @ Seepu, on the asking of Babbu, who is residing abroad. She contends that the case against the petitioners, at best is that of a conduit, who collected the contraband from the agents of Babbu and to further deliver it to co-accused/Jaj Singh @ Sandeep Singh @ Seepu. It is submitted that the nomination of the petitioners is based only upon disclosure by the main accused for having received the said contraband from them and that a recovery of 9 grams of *Heroin* has later been effected, by way of their joint disclosure, from joint possession. It is contended that

119-1
119-2

CRM-M-73891-2025 (O&M)
CRM-M-9679-2026 (O&M)

the case set up by the prosecution is that the petitioners had used a car owned by one Deepanshu, to secure the contraband from two motorcyclists who had come with muffled faces and had handed over the contraband to the petitioners herein so as to further deliver the same to co-accused/Jaj Singh @ Sandeep Singh @ Seepu. It is submitted that the car in question is undisputedly not owned by the petitioners. Besides, there is nothing on record as to how the petitioners were contacted by Babbu for collecting the contraband from the two motorcyclists and deliver the same to co-accused/Jaj Singh @ Sandeep Singh @ Seepu. It is submitted that the involvement of the petitioners in the aforesaid offence is thus highly suspect. The petitioners have been in custody for more than 05 months and that in so far as petitioner-Sajan is concerned, he is involved in two other cases i.e. one under the Excise Act and the other under Sections 323, 324, 325, 34 of the Indian Penal Code, 1860 while petitioner -Gurjeet Singh @ Geeta has clean antecedents. It is further contended that the liability of the petitioners would only be to the extent of the 9 grams of contraband recovered on their joint disclosure, which is an intermediate quantity. They further submit that total 34 prosecution witnesses are to be examined in the present case and none has been examined so far, hence, the conclusion of trial shall take a long time.

6. Learned counsel for respondent-State, on the other hand, contends that the names of the petitioners figured in the disclosure statement of co-accused/Jaj Singh @ Sandeep Singh @ Seepu and thereafter, on their joint disclosure, 9 grams of *Heroin* had also been recovered. Hence, their involvement in the trade is well established. She further contends that the

119-1
119-2

CRM-M-73891-2025 (O&M)
CRM-M-9679-2026 (O&M)

petitioner-Sajan has criminal antecedents and is involved in two other cases including one under the Excise Act. It is contended that the petitioners herein were contacted by Babbu to collect the contraband and further deliver the same to co-accused/Jaj Singh @ Sandeep Singh @ Seepu. It is submitted that the petitioners are a link between the main supplier of the contraband and the ultimate recipients of the contraband, hence, their participation in the offence is established.

7. Having heard the learned counsel for the parties and taking into consideration the facts and circumstances as noted above, I am of the view that there would be arguable issues with respect to the extent of culpable liability of accused. It is the case set up by the prosecution that both the petitioners had been jointly contacted by Babbu and were called upon to jointly collect the contraband from two other accused persons (whereabouts and identity not known and not apprehended) and to deliver the same to co-accused/Jaj Singh @ Sandeep Singh @ Seepu. Thereafter, a joint disclosure was allegedly made by both the petitioners to the effect that they were also in joint possession of 9 grams of *Heroin* which they had concealed. The same would give rise to arguable issues also with respect to the joint disclosure & joint possession as well as mode and manner in which the role of the petitioners has surfaced and attribution against them. Besides, the petitioners have already undergone an actual custody of more than 05 months. Petitioner-Gurjeet Singh @ Geeta has no criminal antecedents while co-accused/Sajan has no involvement in any other case under the Narcotic Drugs and Psychotropic Substances Act, 1985. The quantity of contraband actually recovered from them is 9 grams of *Heroin* and is non-

119-1

CRM-M-73891-2025 (O&M)

119-2

CRM-M-9679-2026 (O&M)

commercial. The investigation in the present case is already complete and final report has already been filed on 28.03.2026 and 34 prosecution witnesses are to be examined. The conclusion of trial would thus take a long time.

8. Accordingly, both the petitions are allowed and the petitioners are ordered to be admitted to regular bail subject to their furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate concerned.

9. It is made clear that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. 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.

(VINOD S. BHARDWAJ)
JUDGE

02.04.2026

Mangal Singh

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