



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
208

CRM-M-1232-2025 (O&M)
Date of decision: 14.02.2025

Akashdeep Singh
.....Petitioner
Versus
State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ramdeep Partap Singh, Advocate
and Mr. S.S. Gill, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of BNSS, 2023, seeking anticipatory bail in case FIR No.24 dated 15.07.2024 registered under Sections 21(c), 23, 25 of the NDPS Act and Section 29 of NDPS Act (added later on), at Police Station Airport, Amritsar, District Amritsar.

2. On 14.01.2025, the following order was passed:-

“XX XX XX XX
Learned counsel for the petitioner, inter alia, contends that FIR (supra) was registered on the basis of secret information and in the same, name of the petitioner is not mentioned. The petitioner has been nominated on the basis of disclosure statement made by co-accused while in police custody. It is further contended that any statement of co-accused recorded by the police under Section 67 of NDPS Act is hit by the provisions of Section 25 of Evidence Act and the same cannot be taken into consideration.



Further, nothing has been recovered from conscious possession of the petitioner and the alleged contraband has already been recovered from co-accused. The petitioner is not involved in any other case under NDPS Act.

Notice of motion for 14.02.2025.

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS [erstwhile Section 438(2) of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.')]]*

If the Arresting Officer does not permit the petitioner to join the investigation, he would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in



accordance with law.”

3. Learned State counsel, on instructions from SI Kulwinder Singh, at the very outset, informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.
4. In view of the statement of learned State counsel, order dated 14.01.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (*erstwhile Section 438(2) of the Code of Criminal Procedure, 1973*).
5. The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

14.02.2025
yakub

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