



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

102

CRM-M-20039-2025**Date of decision: April 22, 2025****GURWAIL SINGH**

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ranjodh Singh Sidhu, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J.

1. The instant petition has been filed under Section 482 of the BNSS, 2023 for grant of anticipatory bail to the petitioner in case FIR No.158 dated 31.08.2022 under Sections 21, 27(a), 29 of the NDPS Act, 1985, registered at Police Station Gharinda, District Amritsar (Annexure P-1).

2. Learned counsel for the petitioner, while seeking the concession of anticipatory bail, contends that the petitioner has been falsely implicated in the instant case, which, it is submitted, rests solely upon a disclosure statement allegedly made by a co-accused. The said co-accused was apprehended by the police on the basis of secret information and was found in possession of 2 kgs of heroin. It is urged that apart from the purported disclosure statement, there is no other tangible or independent incriminating evidence connecting him to the alleged offence. It is further argued that the evidentiary value of the disclosure statement is inherently tenuous, and in the absence of any corroborative material, cannot form the sole basis for implicating the petitioner.

3. Upon a pointed query by the Court regarding the criminal antecedents, if any, of the petitioner, learned counsel for the petitioner has fairly conceded that the petitioner stands convicted in another case of a similar nature, however, it has been submitted that the petitioner was convicted in the aforesaid case many years back and the sentence awarded to him therein stands suspended.



4. I have heard learned counsel for the petitioner and perused the relevant material placed on record.

5. This Court is not inclined to extend the extraordinary concession of anticipatory bail to the petitioner. *Prima facie*, the allegations against the petitioner are of a serious nature. The petitioner, as per the disclosure statement, was the alleged supplier of the recovered contraband from the co-accused. Furthermore and pertinently, the fact that the sentence of the petitioner was suspended in a case in which he stands convicted, at the time of the commission of the present offence, indicates a propensity to indulge in such offences and *prima facie*, reflects a blatant misuse of the concession of bail/suspension of sentence earlier granted to him.

6. In view of the gravity of the allegations and the criminal antecedents of the petitioner, this Court does not deem it fit to extent the extraordinary concession of anticipatory bail to him.

7. Accordingly, the instant petition stands dismissed.

8. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

April 22, 2025

Jaspreet Kaur

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*