



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204

CRM-M No.4643 of 2025
Date of decision: 07.03.2025

AMRITPAL SINGH

.... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Ms. Meghna Nehra, Advocate for
Mr. Harshit Ahuja, Advocate the petitioner.

Mr. Neeraj Poswal, A.A.G., Haryana.

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner in case FIR No. 283 dated 14.09.2024, registered under Section 15(b) and 27(a) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') Police Station Sadar Tohana, District Fatehabad.

2. Vide order dated 28.01.2025, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 28.01.2025, passed by this Court, reads as under:

“Through the instant petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), the petitioner seeks grant of anticipatory bail in case arising out of FIR No. 283 dated 14.09.2024, registered under Section 15(b) and 27(a) of the Narcotic Drugs and Psychotropic Substances



Act, 1985 (for short 'NDPS Act') Police Station Sadar Tohana, District Fatehabad.

Brief facts of the case are that on 14.09.2024, co-accused Boriya Singh was apprehended by a police party headed by SI Surender Singh and recovery of 02 kgs. and 360 grams of poppy husk was effected from him. He was formally arrested at the spot. During the course of investigation, disclosure statement of above named co-accused was recorded, wherein he disclosed that the recovered contraband was purchased from the petitioner. On the basis of the same, the petitioner has been nominated in this case as an accused. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail before the Court of learned Special Judge, Fast Track Court, Fatehabad but the same had been dismissed, vide order dated 20.01.2025.

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. He has been nominated in this case on the basis of the disclosure statement suffered by the aforesaid co-accused, which is not admissible in evidence. More so, the alleged recovery of the contraband effected from the co-accused does not fall under commercial quantity. Co-accused Boriya Singh has been granted concession of regular bail by the Court of learned Special Judge, Fast Track Court, Fatehabad, vide order dated 22.10.2024. The petitioner is not involved in any other criminal case. He is ready to join the investigation. No recovery is to be effected from him. No useful



purpose would be served by detaining him into custody. It is, therefore, urged that the petition deserves to be allowed.

Notice of motion.

Mr. Dharam Pal, AAG, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and seeks some time to file the status report.

List again on 07.03.2025.

Considering the fact that the quantity of the alleged contraband recovered in this case is small, he is nominated in this case on the disclosure suffered by above named co-accused and also in view of the fact that the petitioner is not involved in any other case under the NDPS Act, he is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on ad-interim bail subject to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of BNSS, 2023.”

3. Status report dated 25.02.2025 has already been filed on behalf of respondent-State.
4. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 04.02.2025 and he is not required for custodial interrogation.
5. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed



and the order dated 28.01.2025, granting interim bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

07.03.2025
Jyoti-IV

(MANISHA BATRA)
JUDGE

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