



103 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7121-2025

Date of Decision: 07.02.2025

CHARANJIT SINGH @ CHANNA

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Bhupinder K. Bhangu, Advocate for the petitioner.
Mr. Jaspal Singh Guru, AAG Punjab.

SANDEEP MOUDGIL, J. (Oral)

1. **Relief sought**

The present writ petition has been filed under Section 482 of B.N.S.S for grant of anticipatory bail to the petitioner in case FIR no. 0222, dated 08.12.2024 under Section 21/61/85 of NDPS Act, 1985 registered at Police Station Sultanpur Lodhi, District Kapurthala.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

SHO, PS Sultanpur Lodhi, Jai Hind, today myself St alongwith ASI Gurmej Singh 625/KPT, S/CT Amandeep Singh 542/KPT, ASI Jarnail Singh 986/KPT were on patrolling duty for checking of bad guys and vehicles on government vehicle bearing No. PB-09-X-6114 driven by ASI Pinder Singh 975/KPT alongwith laptop, printer and investigation kit going from Police Chowki, Mothawal to Dadvindi, village Bhaur Saincha. When Police party reached near village Bhaur sports Stadium, then secret informer came to us and informed that Charanjit Singh @ Channa, S/o Santokh Singh and his brother Paramjit Singh S/o Santokh Singh, both r/o of village Saincha, PS Sultanpur Lodhi are in business of selling Heroin. They buy heroin in large quantity and sell it to their customers at higher/exorbitant price at their home. Even now



those both brothers are waiting for their customers at their home by keeping Heroin in their house. If the raid is conducted just now, a huge amount of Heroin can be recovered. This information is trustworthy and reliable and the offence falls under the ambit of Section 21/61/85 of NDPS Act. Ruqa is prepared and sent to police station through ASI Jarnail Singh 986 by hand for registration of FIR. After registration of FIR No. be informed. Information sent through witeless to control room. Special reports be issued and sent to Senior officers. More fellow officials be sent from Police chowki Dalla. Myself SI alongwith fellow officials leaves for the place mentioned by secret informer.

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner contends that petitioner has been named in the FIR only on the basis of secret information and no recovery has been affected from. He further submits that it was his brother namely Paramjit Singh, co-accused, from whom recovery of 12 gms of heroin was affected, which is non-commercial quantity. He further submits that he has been implicated in the present case only on the basis of disclosure statement and is ready to join and cooperate with the investigation.

On behalf of the State

Learned State Counsel appearing on advance notice, on instructions from the Investigating Officer, did not oppose the instant petition since the petitioner is ready to join and cooperate with the investigation and no recovery has been affected from him.

4. **Analysis**

Be that as it may, after given a thoughtful consideration to the



submissions as made by counsel for the parties and considering the fact that no fruitful purpose would be served by sending the accused behind the bars, as the petitioner is ready to join and cooperate with the investigation and no recovery has been affected from him, as such, this Court finds no reason to deny the concession of anticipatory bail to the petitioner as he is ready and willing to join the investigation to cooperate with the investigating officer for furtherance of the investigation.

5. **Decision**

In the light of above, the petitioner is hereby directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

“When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.”



However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands disposed off.

(SANDEEP MOUDGIL)
JUDGE

07.02.2025

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