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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-8597-2025 (O&M)
Date of decision: 15.02.2025

Amrit Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

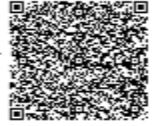
Present: Mr. Dishant Jindal, Advocate and
Mr. Pulkit Sethi, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. Present petition has been filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.231
dated 17.09.2024 under Section 21 of the Narcotic Drugs and Psychotropic
Substances Act, 1985 (for short 'NDPS Act') and Section 29 of NDPS Act
(added later on), registered at Police Station Sadar Mansa, District Mansa.
2. Learned counsel for the petitioner, *inter alia*, contends that the
petitioner is not named in the FIR (*supra*) and he has been falsely implicated in

2025:PHHC:021974

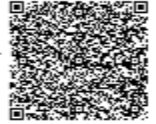


the present case. Admittedly, the alleged contraband has been recovered from the conscious and exclusive possession of co-accused Jaspreet Singh @ Jassa and on the basis of disclosure statement made by him while he was in police custody, the petitioner has been nominated as accused in the FIR (*supra*). It is further contended that any statement made by co-accused while in police custody is hit by Section 25 of Indian Evidence Act, 1872 (*now Section 23(1) (2) of Bharatiya Sakshya Adhiniyam, 2023*) and the same has no evidentiary value in the eyes of law. There is no evidence on record to connect the petitioner with the recovered contraband.

3. *Per contra*, learned State counsel appears on advance notice and on instructions from ASI Gurnaib Singh, opposes the prayer for grant of anticipatory bail to the petitioner on the ground that he is supplier of the contraband recovered from co-accused and he is involved in six more cases, out of which, four cases are registered under NDPS Act and his custodial interrogation is required to find out the supply chain of the drugs.

4. I have heard learned counsel for the parties and perused the record of the case with their able assistance.

5. Keeping in view the facts and circumstances of the case, custodial interrogation of the petitioner is imperative to ascertain the supply chain of the recovered contraband and the fact that he is involved in six more cases, out of which, four cases are registered under NDPS Act, this Court finds no ground to



grant the concession of anticipatory bail to the petitioner.

6. Accordingly, present petition is dismissed.

7. However, nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and learned trial Court shall decide the case on its own merits without being prejudiced by the observations of this Court.

[HARPREET SINGH BRAR]
JUDGE

15.02.2025
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No