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

CRM-M-11163-2025

Date of decision: 25.04.2025

Satpal Bansal

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Robin Singh Bhullar, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

This petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in case bearing FIR No.0222 dated 30.10.2023 (Annexure P-1) under Sections 15/25 of NDPS Act and Section 25/27 of Arms Act (added later on) registered at Police Station Sidhawan Bet, District Ludhiana Rural (Annexure P-1).

On 26.03.2025, the following order was passed:-

'Mr. Robin Singh Bhullar, Advocate files fresh Vakalatnama on behalf of the petitioner with no objection from the earlier counsel, who was representing the petitioner and the same is taken on record. Registry is directed to tag the same at the appropriate place of the case file.

Instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.222 dated 30.10.2023 under Sections 15 & 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Sections 25 & 27 of Arms Act (added later on), registered at Police Station Sidhwan Bet, District Ludhiana Rural.

Learned counsel for the petitioner, inter alia, contends that the petitioner is not named in the FIR (supra). Admittedly, nothing has been recovered from the conscious and exclusive possession of the petitioner and the main accused is Gurwinder Singh. The petitioner has been implicated in this case only on the ground that the vehicle, from which the alleged contraband was recovered, is owned by him, however, he has prima facie evidence in the shape of an affidavit furnished by main accused Gurwinder Singh to the income tax authorities (Annexure P-3) and in its para No.6, it is stated that he is owner of the vehicle in question, which is registered in the name of the



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petitioner and he is having his Special Attorney.

Learned State counsel was granted opportunities twice to verify the contents of the affidavit (Annexure P-3), however, he submits that details of the said affidavit will only be provided by the income tax authorities on the request made by Inspector General of Police, Counter Intelligence. He affirms the fact that the petitioner is not involved in any other case.

Notice of motion for 25.04.2025.

*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).*

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.'

Learned State counsel on instructions from SI Karamjit Singh, at the very outset informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 26.03.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (earlier Section 438(2) Cr.P.C.).

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

25.04.2025

Neha

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