



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

212

CRM-M No.11781 of 2025
Date of decision: 13.05.2025

GURPINDER SINGH ALIAS ROBIN**.... Petitioner****Versus****STATE OF PUNJAB****.... Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present : Mr. Vipul Aggarwal, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

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 118 dated 29.11.2024 registered under Section 21 of NDPS Act (Section 29 of NDPS Act added later on) at Police Station Bhargo Camp, Jalandhar, District Police Commissionerate, Jalandhar.

2. Vide order 03.03.2025, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 03.03.2025, passed by this Court, reads as under:

“Prayer is for grant of anticipatory bail to the petitioner under Section 482 of BNSS, 2023 in criminal case having FIR No.118 dated 29.11.2024 registered under Section 21 of NDPS Act (Section 29 of NDPS Act added later on) at Police Station



CRM-M No.11781 of 2025

-2-

Bhargo Camp, Jalandhar, District Police Commissionerate, Jalandhar.

Counsel for the petitioner inter alia submits that the FIR in this case was registered against Naman Khanna and Ridham Khanna and police recovered 155 grams of heroin from Naman Khanna. Counsel for the petitioner further submits that thereafter, Joban Singh and Subegh Singh were nominated as accused on the basis of disclosure statement suffered by Ridham Khanna and the present petitioner is nominated as accused on the basis of disclosure statement suffered by aforesaid Joban Singh and Subegh Singh. It is further submitted that no contraband was recovered from possession of aforesaid Ridham Khanna, Joban Singh and Subegh Singh. Counsel for the petitioner further submits that the aforesaid disclosure statement, if any, suffered by co-accused against the present petitioner is inadmissible in law and further rigors of Section 37 of NDPS Act are not applicable to the instant case as the aforesaid recovery of 155 grams of heroin comes under non-commercial quantity. It is further submitted that petitioner is ready and willing to join investigation with the police. That one another accused namely Vikramjit Singh @ Vicky, who was also nominated as accused on the basis of disclosure statement of Subegh Singh is already given concession of interim bail by this Court vide order dated 06.02.2025 (Annexure P-6).

Notice of motion.



Mr. Jasjeet Singh Dhaliwal, AAG, Punjab accepts notice on behalf of the State and on instructions from ASI Gurvinder Singh has not refuted the factual aspects of the case as are detailed by counsel for the petitioner in his arguments. The State counsel has not disputed the fact that the total recovery effected in this case comes out to be 155 grams of heroin, that too from co-accused Naman Khanna while the present petitioner is nominated as accused on the basis of disclosure statement suffered by Joban Singh and Subegh Singh from whom no contraband was recovered by the police. The State counsel has also not disputed the fact that co-accused Vikramjit Singh @ Vicky, who was also nominated as accused on the basis of disclosure statement of Subegh Singh is already given benefit of interim bail by this Court vide order dated 06.02.2025 (Annexure P-6).

In light of the fact that the veracity and admissibility of the disclosure statement, if any, suffered by co-accused against the present petitioner is subject matter of the trial and further rigors of Section 37 of NDPS Act are not attracted to the instant case at this point of time, the petitioner is hereby directed to join investigation with the police and in case of arrest, he is directed to be released on interim bail by the IO/Arresting Officer to his own satisfaction till the next date of hearing. The petitioner is to abide by the conditions as envisaged under Section 482(2) of BNSS, 2023.

Now be listed on 13.05.2025.”



CRM-M No.11781 of 2025

-4-

3. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 06.05.2025 and he is not required for custodial interrogation.
4. 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 03.03.2025, granting interim bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

13.05.2025
Jyoti-IV

(MANISHA BATRA)
JUDGE

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