

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:072559



222

CRM-M-22895-2025
Date of decision:27.05.2025

Kartar Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Kamal Gupta, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The present petition has been filed by the petitioner for grant of anticipatory bail in case FIR No. 0014 dated 09.03.2025, registered under Sections 18 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') Police Station Kacha Pacca, District Tarn Taran..

2. Vide order dated 30.04.2025, passed by this Court, the petitioner was granted interim bail and was directed to join investigation.

Order dated 30.04 .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. 0014 dated

09.03.2025, registered under Sections 18 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') Police Station Kacha Pacca, District Tarn Taran.

Brief facts of the case are that on 09.03.2025, co-accused Tejpal Singh and Paramjeet Singh @ Pamma were apprehended by the police party and recovery of 200 grams of opium was effected from them. They were formally arrested at the spot. Upon interrogation, the above named co-accused disclosed that the recovered contraband was purchased from the present 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 Judge, Special Court, Tarn Taran but the same had been dismissed, vide order dated 24.04.2025.

Learned counsel for the petitioner has argued that the petitioner has been nominated in this case on the basis of the disclosure statements suffered by above named co-accused, which is not admissible in evidence against him. More so, the alleged recovery of the contraband effected from the co-accused does not fall under commercial quantity. The petitioner has clean antecedents. 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. The above named co-accused have already been granted concession of regular bail by the Court of learned Judge, Special Court, Tarn Taran. It is, therefore, urged that the petition deserves to be allowed.

Notice of motion.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab, 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 27.05.2025.

In the meantime, the petitioner 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 by way of affidavit filed by learned State counsel is taken on record. He, on instructions from the Investigating Officer, has submitted that that the petitioner has joined investigation on 09.05.2025 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 30.04.2025, granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 (analogous to Section 438(2) of the Code of Criminal Procedure).

(MANISHA BATRA)
JUDGE

27.05.2025

harjeet

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