



CRM-M-33115-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-33115-2025
Decided on: 04.12.2025

Amarjit Kumar alias Ravi
.....Petitioner
Versus
State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Bikram Jit Singh Randhawa, Advocate for the petitioner.
Mr. Vinay Malhotra, DAG, Punjab.

SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Amarjit Kumar alias Ravi	117	02.06.2025	21 of NDPS Act (Section 29 of NDPS Act added later on)	City Nawanshahr	Shaheed Bhagat Singh Nagar

2. On 23.06.2025, following order was passed:-

“ Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-



Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
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2. As per the case of the prosecution, 60 grams of diacetylmorphine (heroin) was recovered from the main accused namely, Simranpreet Singh @ Simma. Petitioner’s name does not find mention in the FIR. His involvement has been alleged solely on the basis of the purported disclosure statement made by Simranpreet Singh @ Simma following the recovery of contraband.

Even the recovery from the main accused appears highly doubtful. It is alleged that 60 grams of heroin was being carried in a transparent polythene envelope. However, such a small quantity could ordinarily be concealed easily in the pocket of a shirt or trouser. There appears to be no plausible reason for carrying it openly in a transparent polythene envelope, which casts serious doubt on the credibility of the prosecution's version.

Learned counsel for the petitioner submits that the petitioner’s implication solely on the basis of a disclosure statement, without any corroborative or independent evidence, is insufficient to sustain a conviction. In the absence of any substantial and unimpeachable evidence linking the petitioner to the recovered contraband, his custodial interrogation is not warranted. The recovery has already been effected, and the petitioner is ready and willing to join the investigation and cooperate fully with investigating agency, thus, prays that petitioner be granted the concession of anticipatory bail.

3. Notice of motion.

On advance notice, Mr. Manjinder Singh Bhullar, DAG, Punjab puts in appearance on behalf of the respondent – State.



4. *Adjourned to 18.09.2025.*

5. *In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

6. *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.*

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court”

3. Continuing his submissions, learned counsel for the petitioner contends in compliance with the order dated 23.06.2025 passed by this Court, petitioner has joined the investigation on 03.07.2025 and has extended full cooperation. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel on instructions from ASI Dhuni Chand, confirms the said averment made by counsel for the petitioner of joining investigation by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated

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23.06.2025, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

However, present order would be subject to the submission of his passport to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he would submit an affidavit, disclosing the fact that he does not possess any passport.

It is clarified that in case, aforesaid condition is not complied with, this order would be considered as non est automatically.

7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

04.12.2025
Rashmi

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**