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

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CRM-M-40012-2025 (O&M)
Date of decision : 18.11.2025

Sandeep Singh **...Petitioner**
Versus
State of Punjab **...Respondent**

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Vikramjeet Singh, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. 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. 121 dated 19.07.2024,
registered under Section 21(C) and 29 of the Narcotic Drugs and Psychotropic
Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Canal Colony,
Bathinda.
2. Brief facts relevant for the purpose of disposal of the instant
petition are that on 19.07.2024, co-accused Tarsem Singh @ Soma and
Karanpreet Singh @ Raman were apprehended by a police party while they
were sitting in an Innova car bearing registration number PB-03BF-5786. On
conducting search, 01 kg. 05 grams of heroin was recovered from their
custody. Co-accused failed to produce any license or permit for possessing the
same. After their arrest, they were interrogated. Co-accused Tarsem Singh @
Soma suffered disclosure statement to the effect that the petitioner along with
co-accused Vikas, Harpreet Singh @ Happu and Sandeep Singh @ Pammu

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were involved with them in commission of subject offences. On the basis of this disclosure, the petitioner was nominated as an accused in this case, vide DDR No. 38 dated 13.08.2024. Apprehending his arrest, he had moved an application for grant of anticipatory bail which was dismissed by the Court of learned Judge, Special Court, Bathinda, vide order dated 09.01.2025.

3. Learned counsel for the petitioner has argued that he has been falsely implicated in this case. He has been nominated in this case on the basis of the disclosure statement suffered by the aforesaid co-accused, which cannot be considered to be admissible in evidence. His name had surfaced in this case one month after registration of the FIR, which shows that he has been nominated after due deliberations. Although, the petitioner has been falsely implicated in two more cases of similar nature, which in fact belong to non-commercial quantity of contraband, however, he is on bail in those cases. There is nothing on record to connect the petitioner either with the subject crime or with the co-accused, except the said disclosure statement. 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. It is, therefore, urged that the petition deserves to be allowed.

4. Status report has been filed by the respondent-State. Learned Assistant Advocate General, Punjab has argued that keeping in view the gravity of the allegations levelled against the petitioner, he is not entitled to get benefit of bail. His custodial interrogation is required for conducting proper investigation in the matter. Hence, it is urged that the petition is liable to be dismissed.

5. This Court has heard the rival submissions.

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6. The petitioner has been nominated in this case on the basis of the disclosure statement suffered by co-accused Tarsem Singh @ Soma, who along with co-accused Karanpreet Singh @ Raman was apprehended by a police party on 19.07.2024 and from whose possession, recovery of 01 kg. 05 grams of heroin was effected. The allegation against the petitioner is that he along with some other co-accused was the supplier of the recovered contraband. However, there is nothing on record to connect the petitioner with the subject crime, except the said disclosure statement. His name has surfaced in this case after one month of registration of the FIR. He is stated to be on bail in two other cases registered against him. It is a question of debate as to whether the petitioner was involved in commission of subject offence or not? In view thereof, this Court is of the considered opinion that a case for grant of anticipatory bail has been made out in favour of the petitioner as his custodial interrogation is not required. Accordingly, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the compliance of conditions envisaged under Section 482(2) of BNSS. He is directed to appear before the Investigating/Arresting Officer to join investigation within a period of ten days from today or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on bail subject to his/her satisfaction.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

18.11.2025*Waseem Ansari*

Whether speaking/reasoned
Whether reportable

(MANISHA BATRA)
JUDGE

Yes/No
Yes/No