



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

108

CRM-M-40131-2025(O&M)
DATE OF DECISION: 28.07.2025

GURPREET SINGH ALIAS BHOLU

...PETITIONER

Versus

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Deepak Aggarwal, Advocate for the petitioner(s).
Mr. TPS Walia, Addl.A.G, Punjab.

SANDEEP MOUDGIL, J (ORAL)

1. Prayer

This petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail in FIR No. 124 dated 16.11.2024 registered under Section 18(c) and 27/29 of The Narcotic Drugs and Psychotropic Substances Act, 1985 at P.S. Sangat, District Bathinda (Annexure P-1).

2. Contentions

On behalf of the petitioner

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case. He submits that as per the allegations, an opium weighing 1 kg which is non-commercial in nature was allegedly recovered from one Hardeep Singh



@ Rinku and the petitioner was nominated in the present FIR on the basis of the disclosure statement made by him. He has further argued that no recovery has been effected from the present petitioner the co-accused from whom the recovery was effected has been released on regular bail.

Learned counsel for the petitioner undertakes that the petitioner is ready and willing to join the investigation and cooperate with the investigating officer.

Notice of motion.

On behalf of the State

Learned State Counsel appearing on advance notice on instructions from Investigating officer vehemently opposes the prayer for grant of concession of anticipatory bail stating that co-accused Hardeep Singh @ Rinku collected the recovered contraband from the present petitioner and for further investigation, the custodial interrogation of the petitioner is required.

3. Analysis

Be that as it may, after given a thoughtful consideration to the submissions as made, by the counsel for both the parties to the effect that nothing has been recovered from the present petitioner and he was nominated on the basis of the disclosure statement of co-accused Hardeep Singh @ Rinku from whom the alleged recovery has been effected, moreover, co-accused has already been released on regular bail, hence, this Court finds no reason to deny the petitioner the concession of anticipatory bail, wherein the petitioner has bona fide intentions and is willing to join the investigation and cooperate for furtherance of the same



so that the final report can be submitted by the Investigating Agency within the stipulated time period.

4. **Relief**

Hence, in view of the admitted set of circumstances before this Court, the petitioner is hereby directed to be released on anticipatory bail subject to him joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS of which are reproduced below :-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

- (i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*
- (ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
- (iii) a condition that the person shall not leave India without the previous permission of the Court;*
- (iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’*

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation



within one week, the order passed by this Court today shall automatically stand cancelled.

The petition in the aforesaid terms stand allowed.

(SANDEEP MOUDGIL)
JUDGE

28.07.2025
anuradha

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>