



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

CRM-M-40551-2025

Date of Decision:07.08.2025

Shubham Verma @ Shubham Kumar

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Ms. Kudrat Sareen, Advocate
 for the petitioner.

Mr. Ravneet Singh Joshi, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant anticipatory bail to him in case FIR No.114 dated 12.07.2025, registered under Sections 21, 27, 29, 61 of NDPS Act, at Police Station Sadar Roopnagar, District Roopnagar.

2. Learned counsel for the petitioner contends that Jatinder Kumar @ Janu and Karanvir @ Kaku, two co-accused were apprehended by the police, while they were carrying 25 grams of heroin in a bag and after following the process of law, they were arrested by the police. Learned counsel further submits that during the course of investigation, Jatinder Kumar @ Janu disclosed that the heroin was bought by him from the petitioner for a sum of Rs.40,000/-. Learned counsel further submits that except the disclosure statement suffered by his co-accused, there was no legally admissible evidence against the petitioner. Even the petitioner was never involved in any other criminal case and is ready to join the investigation. She further contends that

the provisions contained under Section 37 of NDPS Act would not apply to the facts of the present case, in view of the fact that the quantity of heroin recovered from the co-accused is non-commercial in nature.

3. On the other hand, status report by way of an affidavit of Deputy Superintendent of Police, Sub-Division & District Rupnagar has been filed by learned State counsel in Court today and the same is taken on record. Learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court. However, he admits that there is no other case against the present petitioner.

4. I have heard learned counsel for the parties and perused the record.

5. In the present case, it is an admitted fact that except the disclosure statement, no other evidence has been collected against the present petitioner. Even the veracity and admissibility of the statement made by Jatinder Kumar @ Janu is yet to be adjudicated by the trial Court.

6. Thus, without commenting any further on the merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Section 482(2) of the BNSS. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 482(2) of the BNSS.

(N.S.SHEKHAWAT)
JUDGE

07.08.2025

hemlata

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