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

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CRM-M-42697-2025 (O&M)

Date of decision: 12.09.2025

Manjinder Singh**...Petitioner****Versus****State of Punjab****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. B. S. Bhalla, 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, the petitioner seeks grant of anticipatory bail in case arising out of FIR No. 40 dated 20.05.2025, registered under Sections 21, 27(A) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) Police Station Tarsikka, Amritsar.

2. Brief facts of the case relevant for the purpose of disposal of the this petition are that on 20.05.2025, co-accused Lovepreet Singh @ Labha, Jobanjit Singh @ Joban and Gurpreet Singh @ Abhay were apprehended by a police party and recovery of 48 grams of heroin was effected from Lovepreet Singh @ Labha, whereas 10 grams heroin each was recovered from co-accused Jobanjit Singh @ Joban and Gurpreet Singh @ Abhay, respectively. Apart from this, a sum of Rs.20,000/- of drug money was also recovered from them. Upon interrogation, co-accused Lovepreet Singh disclosed that the

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recovered contraband had been purchased by them 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, Amritsar but the same had been dismissed, vide order dated 18.07.2025.

3. Learned counsel for the petitioner has argued that he has been falsely implicated in this case. He was neither named in the FIR nor was found at the spot. He has been nominated in this case on the basis of the disclosure statement suffered by the aforesaid co-accused, which is not admissible in evidence. Although he has falsely been implicated in some other cases but he is on bail in those cases. Co-accused Jobanjit Singh and Lovepreet Singh have already been granted concession of bail by the learned trial Court. More so, the contraband allegedly recovered from the co-accused does not fall under commercial quantity. The petitioner 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 as well as his criminal antecedents, he is not entitled to get benefit of bail. His custodial interrogation is required for proper investigation in the matter. Hence, it is urged that the petition is liable to be dismissed.

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5. I have learned counsel for the parties at considerable length and have also perused the material placed on record.

6. The petitioner has been nominated in this case on the basis of the disclosure made by above named co-accused. The allegations against the petitioner are that he had supplied the recovered contraband to the co-accused. The said quantity of the contraband does not fall under commercial quantity. There is nothing on record, at this stage, to connect the petitioner with the subject crime, except the disclosure statement of the co-accused. Hence, it is a question of debate as to whether the petitioner was involved in sale/purchase of contraband or not? In view thereof, I am of the considered opinion that the custodial interrogation of the petitioner 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.

12.09.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No