



CRM-M No. 49119-2024 1

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

201/2

CRM-M No. 49119-2024 (O&M)
Date of Decision: 03.03.2025

Jnak Singh @ Janak Singh @ Bikka

.....Petitioner

Versus

Union of India

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**Present:** Mr. Rahul Bhargava, Advocate for the petitioner.

Mr. Rajiv Sharma, Advocate for the respondent-NCB.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner in case NCB Crime No.03 dated 31.01.2024, under Sections 21, 22, 23, 25, 27-A, 29 and 60 of Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'NDPS Act'), registered at Police Station NCB Amritsar, District Amritsar.

2. Allegations are that co-accused were apprehended along with 4.369 kg of *heroin* (commercial quantity), 0.968 kg of Amphetamine, four live cartridges along with one pistol as well as one magazine, one Activa scooter & drug money of Rs. 68,500/-. Petitioner was nominated on the disclosure of one of the co-accused-Vijay Pal Singh.

3. Contends that petitioner was not named in the FIR; rather nominated on the basis of disclosure made by co-accused-Vijay Pal Singh.



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Further contends that petitioner has been falsely implicated in the present case.

4. *Per contra*, learned State counsel vehemently opposed the prayer while submitting that bar under Section 37 NDPS Act would apply in the present case. Further submits that petitioner is a hardcore criminal and involved in two other criminal cases.

5. Heard learned counsel for the parties and perused the paper-book.

6. It transpires that although petitioner was nominated in the present case on the basis of disclosure made by co-accused-Vijay Pal Singh; but his case cannot be treated at par with co-accused Gurbir Singh, who has been granted the concession of bail by this Court vide order of even date (03.03.2025) as petitioner has criminal antecedents and is involved in two more cases under the NDPS Act, details of which are as under:-

Sr. No.	FIR No.	Dated	U/S	Name of Police Station
1.	44	06.04.2023	21 of NDPS Act	Police Station Gharinda
2.	104	21.06.2023	21 of NDPS Act	Police Station Gharinda

Perusal of the above extract clearly reveals that petitioner has tendency and every likelihood that once granted pre-arrest bail, he may again indulge in such activities. Thus, his custodial interrogation would be required to know the complicity in the present case.

7. In view of above, there is no option, except to dismiss the petition, “at this stage”.

8. Ordered accordingly.

9. Above observations be not construed as an expression of opinion on merits of case, in any manner.



Pending application(s), if any shall also stands disposed off.

03.03.2025
Rajeev (rvs)

(MAHABIR SINGH SINDHU)
JUDGE

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