

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

2025:PHHC:137381



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CRM-M-46935-2025 (O&M)
Date of decision: 29.09.2025

Iqbal Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Ms. Supriya Garg, Advocate, for the petitioner.

Mr. PS Pandher, AAG, Punjab.

SUKHVINDER KAUR, J.(ORAL)

Present petition has been filed under Section 482 of BNSS, for grant of anticipatory bail to the petitioner in FIR No.91 dated 17.07.2025, under Sections 15 and 29 of NDPS Act, registered at Police Station I.T., City, District SAS Nagar.

As per prosecution case, on 17.07.2025, secret information was received that Iqbal Singh @ Jaggu with Jarnail Singh @ Jella and Paramjit Singh @ Pamma used to bring poppy husk from other State and store it at Jarnail Singh's house. On raid, 5 bags of poppy husk (135 kg 480 gms) were recovered. Jarnail Singh was arrested, who disclosed that the contraband belonged to Iqbal Singh @ Jaggu, who used to give him ₹20,000/- as rent and also gave some portion for self-consumption. Case was registered under Sections 15/29 NDPS Act against the petitioner and co-accused Paramjit Singh and Jarnail Singh.

Learned counsel for the petitioner contended that no recovery had been effected from the petitioner and he is not connected with the offence in the present case. The petitioner has been falsely implicated in the present case only on the basis of disclosure statement of co-accused, which is not admissible in law. He prayed that custodial interrogation of the petitioner is not required for any purpose and nothing is to be recovered from him. He is ready and willing to join the investigation and therefore, the present petition be allowed.

Learned State counsel has opposed the petition and submitted that the petitioner is actively involved in the alleged offence. He has been specifically named in the disclosure statement of co-accused. He further stated that it has been disclosed in the disclosure statement of Jarnail Singh that he and his brother Paramjit Singh are habitual drug addicts and that the petitioner used to allure them that he would provide them poppy husk free of cost. In addition he used to pay them monthly rent for storing poppy husk in their house. Keeping in view the seriousness of allegations, the petitioner is not entitled to the concession of bail.

Heard.

As per the allegations, the petitioner has been named in the present case on the basis of secret information and the alleged recovery has been effected from the house of co-accused Jarnail Singh. As per disclosure statement of co-accused, the poppy husk recovered belonged to the petitioner and he used to give him Rs.20,000/- as rent for storing poppy husk in his house. Further, he used to supply poppy husk after taking the same from the said room of his house. Except the said disclosure statement, there is no material on record to connect the petitioner with the offence in question. Recovery had already been effected in the present case and

nothing is to be recovered from the petitioner. The custodial interrogation of the petitioner is not required for any purpose and no useful purpose would be served by sending the petitioner behind the bars.

Accordingly, without commenting on the merits of the case, the present petition is allowed. In the event of his arrest, the petitioner is ordered to be released on bail, on his furnishing bail/surety bonds, to the satisfaction of the Arresting Officer/ Investigating Officer, subject to the conditions, as provided under Section 482(2) of 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.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail application.

Pending application(s), if any, shall also stand disposed of

29.09.2025
jyoti3/monika

(SUKHVINDER KAUR)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No