

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

2025:PHHC:157374



207

CRM-M-50627-2025 (O&M)

Date of Decision: 13.11.2025.

Iqbal Singh @ Vicky

...Petitioner.

Versus

State of Punjab

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. Yajur Sharma, Advocate for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

SUKHVINDER KAUR, J.

Present petition has been filed under Section 482 of BNSS for grant of anticipatory bail to the petitioner in FIR No.38 dated 26.09.2023 under Sections 21, 25 and 29 of the NDPS Act, registered at Police Station State Special Operations Cell, Amritsar, District Intelligence Wing (CID).

As per prosecution case, co-accused, namely, Manpreet Singh was found in possession of 4 Kg heroin and the petitioner was nominated as an accused in the present case on the basis of 2nd disclosure statement of the said co-accused in which he stated that the petitioner was also indulging in the smuggling of heroin along with him.

Learned counsel for the petitioner contended that initially the name of the petitioner was not mentioned in the FIR and his name surfaced in the present case on the basis of 2nd disclosure statement of co-accused Manpreet Singh. As per the said disclosure statement raid was conducted at

the house of the petitioner but nothing was recovered from there and the petitioner is not connected with the offence in the present case. The petitioner has been falsely implicated in the present case. He prayed that custodial interrogation of the petitioner is not required and he is ready and willing to join the investigation and 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 and as such he is not entitled to the concession of bail.

Heard.

As per the allegations, the name of the petitioner was not mentioned in the FIR and his name surfaced in the present case on the basis of 2nd disclosure statement of co-accused Manpreet Singh, wherein he disclosed that the petitioner was also indulging in the smuggling of heroin along with him. He used to give heroin in quantity of 100/200 grams to petitioner for selling the same in retail. After selling the heroin while retaining his profit, petitioner used to give the remaining money to him. He had handed over 500 grams of heroin to Iqbal Singh @ Vicky, who took out about 200 grams for selling and the remaining 300 grams was buried by him at the backside of his house. As per disclosure statement of Manpreet Singh, the house of the petitioner was raided but no recovery was effected from the said spot. Except the disclosure statement, there is no other material on record to connect the petitioner with the offence in present case. Recovery had already been effected in the present case from co-accused and now 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.

(SUKHVINDER KAUR)
JUDGE

13.11.2025.

Komal

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