

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

2025:PHHC:148680



219

**CRM-M-49705-2025 (O&M)
Date of Decision: 29.10.2025.**

Bohar Singh

...Petitioner.

Versus

State of Punjab

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. Rajat Dogra, Advocate
for the petitioner.

Mr. Adesh Pal Singh, 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.101 dated 07.06.2025 under Sections 15(C), 25 and 29 of the NDPS Act, registered at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib.

As per prosecution case, co-accused Nishan Singh was found in possession of 150 Kg of poppy husk. The petitioner was nominated as an accused in the present case on the basis of disclosure statement of said co-accused, who stated that the said poppy husk belonged to the petitioner Bohar Singh and had been kept in house of Harchand Singh for further sale.

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 aforesaid co-

accused, which is not admissible in law. 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 opposed the present petition and submitted that the petitioner was also indulging in smuggling. 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 surfaced in the present case, only, on the basis of disclosure statement of co-accused Nishan Singh. Except the disclosure statement, there is no material on record that recovered poppy husk belonged to the petitioner. The complicity of the petitioner is to be proved during the trial. The alleged recovery of contraband has already been effected in the present case from co-accused 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 she 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

29.10.2025.

Komal

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