



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

208

CRM-M-54743-2025

GURPARTAP SINGH

...PETITIONER

V/s

STATE OF PUNJAB

...RESPONDENT

Date of decision: 02.12.2025

Date of uploading:02.12.2025

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Davinder Singh, Advocate for the petitioner
(presence marked through video-conferencing).

Mr. Baljinder Singh Sra, Addl. AG, Punjab.

SUMEET GOEL, J.

1. Present petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail to the petitioner in case bearing FIR No. 101 dated 29.04.2025, registered for the offences punishable under Sections 22, 29, 61 and 85 of the NDPS Act, and Section 25 of Arms Act (added later on) at Police Station City Tarn Taran, District Tarn Taran.

2. On 01.10.2025, the following order was passed:-

“Learned counsel for the petitioner, inter alia, contends that the petitioner is sought to be implicated into the FIR in question solely on the basis of a disclosure statement made by co-accused from whom the contraband in question has been allegedly recovered & the petitioner is willing to join investigation and cooperate therein. In order to buttress his arguments, learned counsel for the petitioner has relied upon the dicta of the judgments of the Hon'ble Supreme Court in 'Vijay Singh versus The State of Haryana' bearing Special Leave to Appeal (Crl.) No(s).1266/2023, 'State by (NCB) Bengaluru vs. Pallulabid Ahmad Arimutta & Anr' 2022(1)



RCR (Criminal) 762, 'Tofan Singh vs. State of Tamil Nadu, AIR 2020 Supreme Court 5592 and 'Smt. Najmunisha, Abdul Hamid Chandmiya @ Ladoo Bapu vs. State of Gujrat, Narcotics Control Bureau' 2024 INSC 290.

Notice of motion.

Mr. Gurpartap S. Bhullar, AAG, Punjab accepts notice on behalf of the respondents/State.

Adjourned to 10.11.2025.

The petitioner is directed to appear before the Investigating Officer on 9.10.2025 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023."

2. On 10.11.2025, the following order was passed:-

"Learned counsel for the petitioner submits that the petitioner was not able to join investigation, in terms of the interim protection earlier afforded to him on 01.10.2025, on account of bereavement in his family. Learned State counsel has filed short reply by way of an affidavit dated 09.11.2025 of Rajesh Kakkar, PPS, Deputy Superintendent of Police, Sub- Division Tarn Taran, District Tarn Taran, in the Court today, which is taken on record. A copy thereof has been furnished to learned counsel for the petitioner.

The petitioner is now directed to join investigation, in terms of the interim protection earlier afforded to him, before the concerned Investigating Officer on 13.11.2025 at 11:00 A.M. or on a subsequent date fixed by the concerned Investigating Officer and cooperate therein. Put up on 02.12.2025.

Interim order to continue."

3. Learned State counsel on instructions from ASI Gurpal Singh, has submitted that the petitioner has joined investigation and he is not required for further custodial interrogation.

4. In view of the stance of the State, especially the factum of the petitioner having joined investigation and he being arrayed as an accused on the basis of disclosure statement, this Court is inclined to confirm the order dated 01.10.2025 and 10.11.2025 in light of the dicta of the judgment passed



by this Court in *CRM-M-54032-2024 ‘Ashu Vs. State of Punjab’* and recent judgment of the Hon’ble Supreme Court passed in *‘Jugraj Singh Vs. State of Punjab’* bearing *Special Leave to Appeal (Crl.) No.9190/2025*.

5. Accordingly, the petition is allowed and the order dated 01.10.2025 granting anticipatory bail to the petitioner is hereby made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS.

6. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

7. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS or upon showing any other sufficient cause.

8. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

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

(SUMEET GOEL)
JUDGE

02.12.2025
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No