



CRM-M-57536-2025

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

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CRM-M-57536-2025

Date of decision: 1st December, 2025

Akashdeep Singh @ Giani

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Pankaj Kalia, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 26 dated 08.06.2025 registered under Sections 21 and 29 of Narcotic Drugs and Psychotropic Substance Act, 1985 (for short '*NDPS Act*') at Police Station Mattewal, District Amritsar.

2. As per the allegations, on 08.06.2025, accused Arshdeep Singh @ Arsh and Prince were apprehended by a police party and recovery of 06 grams and 05 grams of contraband heroin respectively was effected from their conscious possession which were taken into custody by the police party. The accused were formally arrested. Both of them suffered disclosure statements to the effect that the petitioner was the supplier of the recovered



contraband. He was as such nominated as additional accused. Apprehending his arrest, the petitioner moved an application for grant of pre-arrest bail before the learned Special Judge, Amritsar which was dismissed vide order dated 02.09.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statements of the co-accused which cannot be considered to be admissible in evidence. He has clean antecedents. No recovery is to be effected from him. He is ready to join the investigation. His custodial interrogation is not required. The rigors of Section 37 of NDPS Act are not attracted in this case. The co-accused has already been extended benefit of bail. It is, therefore, urged that the petitioner deserves to be released on pre-arrest bail.

4. Status report has been filed. It is argued by learned State counsel that keeping in view the gravity of the allegations levelled against the petitioner and for proper investigation of the matter, his custodial interrogation is must. It is, thus, argued that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length.

6. The petitioner has been involved in this case on the basis of disclosure statements of the co-accused from whom non-commercial quantity of the contraband was recovered. The allegations against the petitioner are that he had supplied the recovered contraband to the co-accused. The said quantity of the contraband does not fall under commercial quantity. The petitioner is not involved in any other case. He has clean



criminal antecedents. In view thereof, I am of the considered opinion that the custodial interrogation of the petitioner is not required. Accordingly, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the compliance of conditions envisaged under Section 482(2) of BNSS. He is directed to appear before the Investigating/Arresting Officer to join investigation within a period of ten days from today or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on bail subject to his/her satisfaction.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

8. Since the main petition has already been decided, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

1st December, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*

: *Yes / No*

2. *Whether reportable*

: *Yes / No*