

2025:PHHC:153823



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

325

CRM-M-57804-2025 (O&M)
Date of decision: 10.11.2025

Prabhjot Singh @ Babbu**...Petitioner**

Versus

State of Punjab**...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. K. S. Brar, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*), is for grant of anticipatory bail to the petitioner in FIR No. 146 dated 01.08.2025, registered under Sections 21, 27-B and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Kot Ise Khan, District Moga.

2. Brief facts of the case relevant for the disposal of the present petition are that on 01.08.2025, co-accused Amarjit Kaur @ Gurlal Kaur was apprehended by a police party headed by SI Avi Bansal and recovery of 11 grams of heroin and drug money of Rs.32,000/- was effected from her. She was formally arrested at the spot. On interrogation, she disclosed that she had purchased the contraband from one Bikar Singh and had to sell the same to the present petitioner. On the basis of the same, the petitioner was

2025:PHHC:153823



nominated in this case as an accused. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail before the Court of learned Judge, Special Court, Moga but the same had been dismissed, vide order dated 01.10.2025.

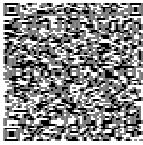
3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is neither named in the FIR nor was found at the spot. He has been nominated in this case on the basis of the disclosure statement of the above named co-accused, which cannot be considered to be admissible in evidence. There is nothing on record to connect the petitioner with the subject crime, except the aforesaid disclosure statement. He is ready to join the investigation. No recovery is to be effected from him. No useful purpose would be served by detaining him in custody. Pendency of other cases cannot be considered to be a ground for denying him benefit of bail in this case. Therefore, it is urged that the petition deserves to be allowed.

4. Status report has been filed by the respondent-State. Learned Assistant Advocate General, Punjab has argued that keeping in view the gravity of the allegations levelled against the petitioner as well as his criminal antecedents, he is not entitled to get benefit of bail. Hence, it is urged that the petition is liable to be dismissed.

5. This Court has heard the submissions made by both the sides.

6. The petitioner has been nominated in this case on the basis of the disclosure made by co-accused Amarjit Kaur @ Gurlal Kaur, who was apprehended by the police party on 01.08.2025 and from whose possession, recovery of 11 grams of heroin was recovered. The allegation against the

2025:PHHC:153823



petitioner is that he had to purchase the recovered contraband from the co-accused. The said quantity of the contraband does not fall under commercial quantity. The nomination of the petitioner in this case is solely based on the disclosure statement suffered by the co-accused and except that, there is nothing on record to connect him with the subject crime. Although, he is shown to be involved in some other cases of similar nature but that cannot be made a ground for denying him concession of bail in this case in the given circumstances. In view thereof, this Court is 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.

10.11.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No