



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

105

CRM-M-20763-2026(O&M)

Date of decision: 17.04.2026

Amar

...Petitioner(s)

VERSUS

State of Punjab

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Geeteshwar Saini and Mr. Daaman Kaushal, Advocate
for the petitioner.

Mr. Mohit Kapoor, Sr.DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

CRM-16371-2026

Allowed, as prayed for, subject to all just exceptions.

Main case

The present first petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail to the petitioner in case bearing FIR No.0052 dated 19.03.2026 registered under Section 21-B (Section 29 added later on) of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Dinanagar, District Gurdaspur.

2. For facility of reference, the contents of the FIR is extracted as under:

“Today myself ASI along with ASI Naresh Kumar 562, LCT Sudesh Kumari 601 and CT Gagandeep Singh 279, were on patrolling duty on government vehicle numbered PB 65 BG 9224 from the police station to village Jhandochak, in order to search bad elements. When the police party reached Bahri hospital GT Road Dinanagar while patrolling, a woman was

seen standing on the road outside the ground of Guru Ravidas Temple. She got scared after seeing the police vehicle and immediately walked towards the Guru Ravidas Temple. On getting suspicious, myself ASI stopped the vehicle and started to apprehend the suspicious woman with the help of fellow employees. The woman having a black wax envelope in her hand and upon seeing thrown it in the bushes. On which myself ASI with the help of fellow employees caught her and asked her name and address, who told her name as Priya wife of Amar resident of Purani Abadi Awankha Police Station Dinanagar. On which myself ASI tried to include the public witness in the police party before checking the black wax envelope thrown by Priya, then every person did not agree to join the police party, stating his compulsion. On which myself ASI opened the wax envelope in the presence of fellow employees and checked it, heroin was recovered from the envelope. On which myself ASI took out a computer weighing machine from investigation bag and weighed the recovered heroin, on weighing, the wax envelope containing 10 grams of heroin. Myself ASI prepared a parcel with 10 grams of heroin in a waxed envelope in black color in a plastic box and sealed it with his seal with the letter BS in total 1 seal and took it to the police as evidence through a separate document. The sample seal was prepared separately and Form No. 4 was filled on the spot. After the seal, the reference was made to ASI Naresh Kumar 562. Because Priya wife of Amar, resident of Purani Abadi Awankha, has committed the crime of 21(b)-61-85 NDPS ACT by keeping 10 grams of heroin in her possession. Therefore, a case is being registered and sent to CT Gagandeep Singh 279 at the police station. The case should be registered and the case number should be informed. Special reports should be issued and sent to the service of senior officer. Control room should be informed via wireless. I am investigating the matter ASI and fellow employees.”

3. Learned counsel appearing on behalf of the petitioner contends that the petitioner has been nominated as an accused on the disclosure statement made by co-accused Priya from whose conscious possession 10 grams of heroin had been recovered. He further contends that no recovery of any nature whatsoever has been effected from the petitioner and that there is no immediate link whereby petitioner's involvement in the commission of offence may be established.

4. Learned State Counsel contends that the petitioner has 06 other criminal cases including FIR No.84 dated 28.04.2025 and FIR No.175 dated 22.09.2023, which both are registered under the NDPS Act alongwith FIR No.296 dated 21.10.2020 and FIR No.179 dated 06.07.2025. The remaining 02 cases are registered under the provisions of Indian Penal Code, 1860. He further contends that in 04 cases that were registered against the petitioner under the NDPS Act, recovery of intermediate quantity has been effected from the petitioner. He further contends that the petitioner has not disclosed about FIR No.296 dated 21.10.2020 and FIR No.179 dated 06.07.2025 registered under the NDPS Act in the present petition.

5. I have heard counsel for the respective parties and have gone through the documents appended alongwith the present petition as well as the information furnished by the State Counsel on instruction from the Investigating Officer.

6. Taking into consideration the continued involvement of the petitioner in a large number of cases, which includes 04 cases under the Narcotic Drugs and Psychotropic Substances Act, 1985 apart from the case in hand, I am of the opinion that the petitioner is a repeat offender and

seemingly has chosen to continue with his way of life into the world of crime. Having made a conscious choice to pursue a life of crime, the petitioner is precluded from claiming the indulgence of this Court for grant of anticipatory bail.

7. Consequently, the present petition is dismissed.
8. Pending application(s), if any, shall stand disposed of.

(VINOD S. BHARDWAJ)
JUDGE

17.04.2026

Sumit Gusain

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