

2026.PHHC.072164



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

217

CRM-M-23732-2026 (O&M)

Date of decision: 08.05.2026

Jashandeep Sigh @ Bhurra and another**...Petitioners****Versus****State of Punjab****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Rahul Sharma, Advocate and
Mr. B. S. Bhalla, Advocate
for the petitioners.

Mr. Roshandeep Singh, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Through the instant petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioners seek grant of anticipatory bail in case arising out of FIR No. 145 dated 31.12.2025, registered under Sections 21, 27A and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*), Section 25 of the Arms Act and Sections 180, 109, 221, 132, 324(4) and 238 of BNS, 2023 at Police Station Bhindi Saidan, District Amritsar.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that on 31.12.2025, a secret information was received by a police party headed by SI Gurbaksh Singh that Harvail Singh @ Billa, Manjit Singh, petitioner Jashandeep Singh, Rajdeep Singh, petitioner Surjit Singh and Ranjit Singh were indulged in smuggling heroin, illegal arms/ammunitions and counterfeit currency from Pakistani smugglers through drone. It was also

2026.PHHC.072164



informed that at that time, the abovenamed persons were present at their house and could be apprehended if a raid was conducted. Believing the information to be true, a raiding party was immediately formed, which raided the informed place. However, all the accused persons went on to the terrace of the house and started pelting stones at the police officials and damaged the wind screen of govt. vehicle. ASI Harjinder Singh received an injury on his nose in the said incident. Accused Harvail Singh and Rajdeep Singh were arrested. On interrogation, accused Harvail Singh, on 03.01.2026, disclosed that he along with the present petitioners and abovenamed other accused had procured heroin and weapons from Pakistan through drone and had given to some unknown customers on the instructions of Pakistani smugglers. He further disclosed that he had flushed 500 grams of heroin in his bathroom at the time when the raid was conducted by the police party. At his instance, recovery of 10 grams of heroin, drug money of Rs.5600/-, one electronic scale and one magazine with four bullets was effected. Apprehending their arrest, the petitioners had moved a joint application for grant of anticipatory bail before the Court of learned Additional Sessions Judge, Amritsar but the same had been dismissed, vide order dated 16.03.2026.

3. It is argued by learned counsel for the petitioners that they have been falsely implicated in this case. They have been nominated in this case on the basis of the disclosure statement suffered by the aforesaid co-accused, which is not admissible in evidence. They have no previous history of their involvement in any criminal case. The allegations of pelting stones at the police officials are vague and general in nature, which lack specificity. None

2026.PHHC.072164



of the police officials had received any injury so as to invoke the provisions of Section 109 of BNS. Other offences are also not made out. It is further argued that the quantity of the contraband allegedly recovered from the co-accused does not fall under commercial quantity, being only 10 grams. The petitioners are ready to join the investigation. Their custodial interrogation is not required. No recovery is to be effected from them. No useful purpose would be served by detaining them into custody. It is, therefore, urged that the petition deserves to be allowed.

4. Short reply been filed by the respondent-State. Learned State counsel has argued that keeping in view the gravity of the allegations levelled against the petitioners, they are not entitled to get benefit of bail. Their custodial interrogation is required for proper investigation in the matter. Hence, it is urged that the petition is liable to be dismissed.

5. This Court has heard the rival submissions.

6. The implication of the petitioners in the present case rests primarily on the disclosure statement of co-accused Harvail Singh, which by itself carries limited evidentiary value. It is also noteworthy that the recovery allegedly effected from the co-accused is of 10 grams of heroin, which does not fall within the category of commercial quantity. The allegations qua the petitioners and co-accused regarding pelting of stones are general in nature and lack specific attribution. The injury stated to have been suffered by a police official is simple and does not *prima facie* indicate a grave assault so as to disentitle the petitioners from the relief sought. The petitioners are stated to have no criminal antecedents under the NDPS Act and have expressed

2026.PHHC.072164



willingness to join investigation. At this stage, no material has been brought to the notice of this Court to suggest that any recovery is to be effected from them or that their custodial interrogation is indispensable. In view of the above discussion, this Court is of the considered opinion that the custodial interrogation of the petitioners is not required. Accordingly, the present petition is allowed. The petitioners are granted concession of anticipatory bail, subject to the compliance of conditions envisaged under Section 482(2) of BNSS. They are 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 their arrest, the Investigating/Arresting Officer shall release the petitioners 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.

08.05.2026

Waseem R. Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No