



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-55332-2025
DECIDED ON: 10.03.2026

LALUPETITIONER

VERSUS

STATE OF PUNJABRESPONDENT

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.

Present: Mr. Vipin Mahajan, Senior Advocate, with
Ms. Gaganbir Kaur Kahlon, Advocate,
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J (ORAL)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Lalu, aged about 37 years	16	10.04.2025	21, 29 of NDPS Act and Section 111 of BNS, 2023	Narot Jaimal Singh	Pathankot

2. While hearing the submissions made by counsel for the petitioner, on 30.09.2025, following order was passed by this Court:-

“2. Learned counsel for the petitioner, inter alia, contends that in the present case, a recovery of 265 grams of heroin was effected from one accused, Mohammad Shariq, on 10.04.2025. Three days after

his arrest, a disclosure statement of Mohammad Shariq was recorded, in which he named the petitioner, Lalu, along with one another accused, Bhupinder Singh, as being involved in the illegal drug trafficking business. Pursuant to this, Bhupinder Singh was arrested on 14.04.2025, and on the following day, i.e., 15.04.2025, another recovery of 263 grams of heroin was made based on Bhupinder Singh's disclosure statement. In connection with this recovery, a separate FIR bearing No.18 dated 15.04.2025 under Section 21 of the NDPS Act, registered at Police Station Narot Jaimal Singh, District Pathankot, was lodged. Name of the petitioner again surfaced in FIR No.18 (supra) solely on the basis of disclosure statement of co-accused Bhupinder Singh.

3. It is submitted that apart from the disclosure statements recorded in both the FIRs, there is no other independent or corroborative evidence on record connecting the petitioner to the alleged offences. Petitioner has been implicated in both cases under the NDPS Act merely on the basis of such disclosure statements, which, as per settled law, are weak pieces of evidence and cannot form the sole basis for conviction or continued prosecution. Moreover, petitioner is ready to join the investigation and fully cooperate, if protected from arrest by this Court. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

4. Notice of motion.

5. On advance notice, Mr. Neeraj Madaan, Senior Deputy Advocate General, Punjab, appears on behalf of the respondent-State and submits that mobile phone of co-accused Bhupinder Singh has been sent to the Forensic Science Laboratory (FSL) for examination, from where it would be confirmed whether there is any communication or connectivity between the main accused, Bhupinder Singh and Mohammad Shariq, with the petitioner in relation to the alleged illegal narcotics trafficking and contraband activities. However, he seeks some time to file a detailed status report in the matter.

6. Adjourned to 01.12.2025.

7. Meanwhile, petitioner shall not be arrested. However, issue of joining of investigation by the petitioner would be examined on the next date of hearing, after reviewing the status report, which is yet to be filed by learned State counsel."

3. Today, reiterating the submissions, learned Senior counsel for the petitioner submits that even as per the status report dated 24.11.2025 filed by learned State counsel, nothing material has been pointed out qua the allegations which were mentioned in the disclosure statement made by the co-accused, naming therein the petitioner in the present case, of supplying of heroin to main accused Mohammad Sharif. Moreover, petitioner is ready to join the investigation and fully cooperate, if protected from arrest by this Court. Thus, counsel prays for grant of anticipatory bail to the petitioner in the present case.

4. On the other hand, learned State counsel, while referring to the status report dated 24.11.2025 already appended with the present petition, submits that petitioner was the key intermediary who maintained direct communication with a Pakistani national named Khan through Whatsapp for arranging the supply of heroin consignments across the border. Petitioner, in conspiracy with the co-accused Bhupinder Singh @ Bhinda and Mohammad Sharif, was responsible for transmitting the GPS locations to the Pakistani handlers for the precise dropping of heroin consignments through drones.

Keeping in view the gravity of the offence committed by the accused persons in the present case, learned State counsel submits that petitioner does not deserve the concession of anticipatory bail in the present case.

5. This Court has heard the submissions addressed by counsel for the parties and has also gone through the record available before it,

and finds it appropriate to grant the concession of anticipatory bail to the petitioner in the present case.

6. Accordingly, petitioner is directed to join the investigation within two weeks from today, or as and when called by the investigating agency, and in the eventuality of the arrest, petitioner would be released on anticipatory bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

7. Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

8. With the directions issued here above, present petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

10.03.2026

Lavisha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>