



CRM-M-59904-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

217/2

CRM-M-59904-2025
Decided on: 14.01.2026

Gurparsad Singh @ Vishal

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Amarbir S. Shergill, Advocate
for the petitioner.
Mr. Vinay Malhotra, 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 FIR No.155 dated 25.09.2025, under Sections 21(b), 25, 27(a), 29 of NDPS Act, 1985 at PS Division A, District Police Commissionerate, District Amritsar.

2. On 28.10.2025, following order was passed:
“(i) 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 of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Gurparsad Singh @ Vishal, aged about 21 years	155	25.09.2025	21(b), 25, 27(a), 29 of NDPS Act, 1985	Division A, District Police Commissionerate	Amritsar



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(ii) On the very outset, learned counsel for the petitioner points out that in the FIR, petitioner has been nominated as 'Vishal r/o Babowalia', whereas, complete name of the petitioner in the present petition is mentioned as 'Gurparsad Singh @ Vishal', who is resident of Village Babowal, District Amritsar.

(iii) As per the allegations, one Hyundai Verna car bearing registration No. PB10-ET-5421 was seen parked outside the bus stand and near the Axis Bank. The members of the police team noticed that the said car was occupied by four youths. On seeing the police party, they fled from the spot; however, two of them were apprehended, who disclosed their names as, 'Jodhbir Singh s/o Balwinder Singh' and 'Rohitpreet Singh s/o Harjeet Singh'. Further, on the basis of their disclosure statements, name of two other accused, namely Vishal Singh s/o Avtar Singh and Gurparsad Singh @ Vishal (petitioner herein), also came to light.

(iv) Learned counsel for the petitioner – Gurparsad Singh @ Vishal– argues that recovery of 21 grams of heroin along with drug money amounting to ₹ 1,140/- has been effected from the arrested accused, namely; Jodhbir Singh and Rohitpreet Singh, and that the petitioner has been falsely implicated in the present case. It is contended that the disclosure statement, on the basis of which the names of the petitioner and his co-accused Vishal Singh s/o Avtar Singh have surfaced, does not contain any allegation that either of them was in possession of any narcotic substance or contraband.

It is further argued that the quantity of contraband recovered from the arrested accused persons falls within the non-commercial category. Learned counsel also submits that the petitioner is not involved in any other case of similar nature and, being a young boy of 21 years of age. Besides, learned counsel submits that co-accused of the petitioner, i.e., Vishal Singh s/o Avtar Singh, has already been granted concession of ad-interim bail, vide order dated 17.10.2025 (Annexure P-4), passed in CRM-M-59149-2025 (Vishal Singh v. State of Punjab). Therefore, claiming parity, learned counsel prays for grant of concession of bail for the petitioner as well.

(v) Notice of motion.

(vi) On advance notice, learned State counsel puts in appearance on behalf of the respondent–State and submits that the name of the present petitioner finds mention in the FIR itself, as at the time of effecting arrest of co-accused Jodhbir Singh and Rohitpreet Singh, the names of the petitioner and the other co-accused were disclosed by them.

It is further submitted that custodial interrogation of the petitioner is required, as there is information with the Investigating Agency that some more quantity of the narcotic contraband, i.e., about 30 grams of heroin, is still in their

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possession.

However, learned State counsel very fairly admits the factum of ad-interim bail having been granted to the co-accused of the petitioner, namely; Vishal Singh s/o Avtar Singh vide order dated 17.10.2025 (P-4)

(vii) In response to the aforesaid submissions, learned counsel for the petitioner argues that there is no substance in the assumption of the Investigating Officer, as there is nothing in the disclosure statements of the already arrested accused, which indicating that the other two co-accused, namely; petitioner herein and Vishal Singh s/o Avtar Singh, who allegedly fled from the spot, were in possession of any narcotic substance or contraband.

It is further submitted that the petitioner is ready and willing to join investigation, provided he is protected from arrest.

(viii) Adjourned to 14.01.2026.

(ix) In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim 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.).

(x) 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.

To be heard along with CRM-M-59149-2025 ”

3. Learned State counsel on instructions from ASI Ramesh Kumar, contends that in compliance to the order dated 28.10.2025 passed by this Court, the petitioner has joined the investigation on 30.10.2025, and as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

4. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 28.10.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

5. The petitioner shall continue to join the investigation as and when



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required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

6. However, present order would be subject to the submission of his passport to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he would submit an affidavit, disclosing the fact that he does not possess any passport.

7. It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

14.01.2026

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(SANJAY VASHISTH)
JUDGE

Whether Speaking/Reasoned:
Whether Reportable:

YES/~~NO~~
~~YES~~/NO