

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-60525-2025
DECIDED ON: 18.05.2026

RAJPAL SINGHPETITIONER

VERSUS

STATE OF PUNJABRESPONDENT

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.

Present: Mr. Atul Goyal, 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
Rajpal Singh, aged about 26 years	152	05.09.2025	21(b) of NDPS Act (Section 29 of NDPS Act added later on)	Sadar Sri Muktsar Sahib	Sri Muktsar Sahib

2. After hearing the submissions addressed by counsel for the petitioner, on 30.10.2025, following order was passed:-

“2. Learned counsel for the petitioner, *inter alia* contends, that as per the case of prosecution, main accused, Baljinder Singh, and his co-accused, Shivani, were standing near the wall of the water works area at Kotli Diwan. Upon noticing the police

party, Baljinder Singh, who was holding a polythene bag in his left hand, allegedly threw it on the ground. Upon search, police recovered 50 grams of heroin from the said bag. Co-accused Shivani, however, was not found in possession of any polythene bag or contraband substance. Despite this, both the accused made a disclosure statement admitting that the recovered heroin had been supplied by Rajpal Singh (petitioner herein), who is husband of co-accused Shivani.

3. Learned counsel for the petitioner further submits that petitioner has been falsely implicated solely on the basis of alleged disclosure statement, which is insufficient in law to involve him as an accused in the present case. Furthermore, prosecution's version appears inherently improbable, as there was no reason for co-accused Shivani, being petitioner's wife and not in possession of any contraband, to make such a disclosure statement. Moreover, petitioner is ready to join the investigation and fully cooperate, if protected from arrest by this Court. Thus, counsel 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, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.

6. Adjourned to 17.11.2025.

To be shown in the urgent list.

7. Let status report be filed by learned State counsel detailing therein the credentials and previous history of all the three accused in the present case.

8. 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. Counsel for the petitioner submits that 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 could not dispute the contentions recorded by counsel for the petitioner in the order dated 30.10.2025. However, he submits that petitioner was found involved in the present case, and at the time of recovery, his wife, namely Shivani, was accompanying the main accused, Baljinder Singh. Therefore, involvement of the petitioner is clearly made out, and he does not deserve the concession of bail in the present case.

5. This Court has heard the submissions advanced by learned counsel for the parties and has also perused the record available before it.

6. During the course of hearing, contentions already advanced in the order dated 30.10.2025 on behalf of the petitioner, were not disputed by learned State counsel. Even, no other incriminating evidence has been pointed out by the State today against the petitioner. In these circumstances, this Court deems it appropriate to dispose of the present petition, with the direction to the petitioner to join the investigation within two weeks from today or as and when called by the investigating officer, 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 recorded here above, present petition stands disposed of.

18.05.2026

Lavisha

(SANJAY VASHISTH)
JUDGE

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