

CRM-M-62332-20251

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214

CRM-M-62332-2025
Decided on: 19.01.2026

Jobanpreet Singh @ Joban.....Petitioner

Versus

State of Punjab.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Hitesh Chopra, Advocate for the petitioner.
Mr. Vinay Malhotra, DAG, Punjab.

SANJAY VASHISTH, J.

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
Jobanpreet Singh @ Joban	141	13.09.2025	21 and 27-A of NDPS Act	Sadar Batala	Gurdaspur

2. On 07.11.2025, following order was passed:-

- “1. Prayer in this petition under Section 482 of BNSS, 2023 is for grant of anticipatory bail in case FIR No.141, dated 13.09.2025, under Sections 21 and 27-A of NDPS Act, registered at Police Station Sadar Batala, District Gurdaspur.
2. Notice of motion.



3. *Mr. Jatinder Pal Singh, Sr. DAG, Punjab accepts notice on behalf of the respondent-State. The parties have been heard and material on file has been perused.*

4. *Brief facts of the prosecution case are that on 13.09.2025, police party headed by ASI Baldev Singh was on patrolling duty near village Sunia, Dheer, and Saidmubarak. When the police party reached near the Railway Crossing, Saidmubarak, one person was seen coming on foot through the railway crossing, carrying some intoxicating substance in a polythene bag, which was kept in the right pocket of his trouser. On seeing the police party, he suddenly turned back, threw the said intoxicating substance on the ground, and tried to flee from the spot. On the basis of suspicion, he was apprehended by the police party and on inquiry, he disclosed his name as Satpal Singh @ Satta. On search of the polythene bag, 5 grams of heroin and drug money amounting to 400/- ₹ were recovered. During interrogation, Satpal Singh @ Satta disclosed the name of the petitioner-Jobanpreet Singh @ Joban. Apprehending arrest, the petitioner applied for anticipatory bail, which was dismissed by the learned Judge, Special Court, Gurdaspur, vide order dated 16.10.2025 (Annexure P-2).*

5. *Learned counsel for the petitioner argued that the petitioner has been falsely implicated in the present case. The disclosure statement of co-accused Satpal Singh @ Satta, whereby he has been nominated as an accused is inadmissible in evidence and cannot be looked into. There is no other material to connect the petitioner with the alleged offence and disclosure statement alone cannot be made the basis to deny the benefit of anticipatory bail. Learned counsel next contended that petitioner is ready to join the investigation and he will abide by the conditions that may be imposed by the Court and benefit of anticipatory bail be extended in his favour. In support of*



his contentions, learned counsel has cited the Judgment reported as Law Finder Doc.id# 2687409, 2025:NCPHHC:2121 titled as “Sahil Joshi Vs. State of Punjab” and order dated 20.08.2025 passed by Hon’ble Supreme Court in Criminal Appeal No.3640/2025 @ SLP (Crl) No.9190/2025 titled as ‘Jugraj Singh Vs. State of Punjab’. Learned counsel also cited the order dated 03.04.2025 passed by a Co-ordinate Bench of this Court in CRM-M-18403-2025 in the aforesaid case vide which bail application of aforesaid Jugraj Singh was rejected.

6. *On the other hand, learned State counsel has opposed the prayer and argued that the name of the petitioner has emerged during investigation and disclosure statement of co-accused Satpal Singh @ Satta has pointed towards his role in the present offence indicating his involvement in the illicit drug network and as such, his custodial interrogation is essential to trace the source from where the contraband was arranged and other links of supply and petitioner does not deserve anticipatory bail.*

7. *Admittedly, the name of the petitioner has cropped up in the disclosure statement of co-accused Satpal Singh @ Satta, from whom the alleged contraband was recovered. At this stage, there is no other material against the petitioner except disclosure statement of co-accused Satpal Singh @ Satta. In **Jugraj Singh’s case (supra)**, 5kg heroin was recovered along with a sum of Rs.17.50 lakh drug money and main accused had nominated said Jugraj Singh as the supplier and the Hon’ble Supreme Court had ordered his release on anticipatory bail observing that mere disclosure statement is not sufficient to connect him with the alleged offence. As such, it is a fit case wherein benefit of anticipatory bail should be extended.*

7. *Adjourned to **24.12.2025** for filing status report. Meanwhile, the petitioner is directed to join the investigation and in the event of his arrest, he shall be*



admitted to ad-interim bail on furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer, subject to the following conditions as envisaged under Section 482(2) of the BNSS [erstwhile Section 438(2) Cr.P.C.]:-

i) that the petitioner shall make himself available for interrogation by a police officer as and when required;

ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;

iii) that the petitioner shall not leave India without the prior permission of the Court;

iv) such other condition as may be imposed under sub-section (3) of Section 480, as if the bail were granted under that section.”

3. Continuing his submissions, learned counsel for the petitioner contends in compliance with the order dated 07.11.2025 passed by this Court, petitioner has joined the investigation on 27.11.2025 and has extended full cooperation. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel has filed reply by way of affidavit of Rajesh Kakkar, PPS, Deputy Superintendent of Police, Sub Division Fatehgarh Churian, Police District Batala, in Court today. Same is taken on record. Registry is directed to tag the same at appropriate place with the paper-book.

Learned State counsel on instructions from ASI Baldev, confirms the said averment made by counsel for the petitioner of joining

**CRM-M-62332-2025****5**

investigation by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 07.11.2025, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

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.

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

7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

19.01.2026

Rashmi

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**