



CRM-M-61948-20251

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-61948-2025
Decided on: 17.03.2026

SANDEEP KUMAR ALIAS PINDU

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. J.S. Jaidka, Advocate for the petitioner
(through video conferencing).

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
Sandeep Kumar @ Pindu, aged 26 years	10	28.01.2025	21(c), 25, 29, 61, 85 of NDPS Act	Sarabha Nagar	Ludhiana

2. On 06.11.2025, following order was passed:-

“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:-

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2. As per the prosecution case, during police patrolling and checking, an Innova car, bearing registration number, PB 05M 0064 was noticed parked on the wrong side of the service road. The car was occupied by two young men, and upon seeing the police party approaching, the individual sitting on the co-passenger seat threw a polythene bag containing some material. Both the occupants were apprehended on suspicion, with the co-passenger identifying himself as Karan Kalra @ Karan and driver as Gurmeet Singh @ Mintu. During subsequent proceedings, 260 grams of heroin were recovered from the polythene bag thrown by co-accused Karan Kalra @ Karan. In the disclosure statement recorded on 29.01.2025, arrested accused named the petitioner as supplier of the recovered contraband.

3. Learned counsel for the petitioner contends that petitioner has been falsely implicated in the case and there is no truth in the disclosure statement.

It is further argued that, as per settled law, a person cannot be treated as directly involved in a crime solely on the basis of being named in a co-accused's confessional disclosure statement. There must be independent and substantive evidence connecting the named individual to the alleged offence to make the allegation prima facie credible.

Further submits that petitioner has been implicated only because he was previously involved in another NDPS case, and was, thus known to the police officials. Nevertheless, petitioner is willing to join the investigation and fully cooperate with the investigating agency, provided he is protected from arrest. Thus, counsel prays for grant 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 22.01.2026.*

7. *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 abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

8. *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 .”

3. Continuing his submissions, learned counsel for the petitioner submits that in compliance with the order dated 06.11.2025 passed by this Court, petitioner has joined the investigation and has extended full cooperation. He, therefore, prays for confirmation of the interim anticipatory bail order.

4. Learned State counsel on instruction from ASI Rajpal Singh submits that in pursuance of the directions issued by this Court, petitioner has joined the investigation on 19.11.2025 and as of now, his custodial interrogation is not required.

5. I have heard learned counsel for the parties and perused the paper-book.

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6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 06.11.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

It is made clear that petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

7. However, it is clarified that in case the passport or an affidavit regarding non-possession of a passport, if he does not possess one, is not submitted to the Investigating Agency or the Court concerned within a period of two weeks from today, the present order shall be deemed to be inoperative and the Investigating Officer shall be at liberty to proceed with the arrest of the petitioner.

8. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

17.03.2026

Rashmi

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