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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-66673-2025 (O&M)

Date of Decision:27.03.2026

Ajaypal Singh @ Ajay

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARYPresent: Mr. B. S. Bhalla, Advocate, for the petitioner.
Mr. Jasjir Singh, DAG, Punjab.

AMAN CHAUDHARY, J. (Oral)

1. The present petition has been filed under Section 482 of the BNSS, 2023 for grant of concession of anticipatory bail to the petitioner in case FIR No.68 dated 29.07.2025, under Sections 22, 27-A, 29 of NDPS Act registered at Police Station Tarsikka, District Amritsar.

2. On 28.11.2025, this Court had passed the following order:-

“Prayer in this petition under Section 482 of BNSS, 2023 is for grant of anticipatory bail to the petitioners in case FIR No.68 dated 29.07.2025 registered at Police Station Tarsikka, Amritsar under Sections 22, 27-A of NDPS Act (Section 29 of NDPS Act added later on).

Notice of motion. Mr. Jatinder Pal Singh, Sr. DAG Punjab, has appeared and accepts notice on behalf of the State. Both the parties have been heard and material collected by the police during investigation has been perused.

As per prosecution case, one Jugraj Singh @ Gaaji was apprehended by the police and 5300 loose intoxicating tablets along with a sum of Rs.3500/- as drug money were recovered from his possession. On interrogation, he suffered disclosure statement



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to the effect that he had purchased the recovered contraband from Satnam Singh @ Shamu, Ranjit Singh @ Rana and Gurwinder Singh @ Goggy, who in turn had purchased the same from Shamsher Singh @ Shera and Daler Singh. He further disclosed that Shamsher Singh @ Shera and Daler Singh used to purchase the contraband from Ajaypal Singh @ Ajay (petitioner) and Gurjit Singh. Apprehending arrest, petitioner applied for bail, which has been dismissed by the trial Court vide order dated 23.10.2025.

Learned counsel for the petitioner argued that petitioner has been falsely implicated in the present case. The disclosure statement of co-accused Jugraj Singh @ Gaaji, 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 placed on file the order dated 03.04.2025 passed by a Coordinate Bench of this Court in CRM-M-18403-2025 in the aforesaid case vide which bail application of aforesaid Jugraj Singh was rejected.

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 Jugraj Singh @ Gaaji has pointed towards his role in the present offence



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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 do not deserve anticipatory bail.

Admittedly, no recovery has been effected from the petitioner and his names has cropped up in the disclosure statement of co-accused Jugraj Singh @ Gaaji, from whom the alleged contraband was recovered. At this stage, there is no other material against the petitioner except disclosure statement of co-accused Jugraj Singh @ Gaaji. There are no call details between the petitioner and the co-accused to point out towards his involvement. 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.

Adjourned to **27.01.2026**.

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;



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- 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. Learned counsel submits that in pursuance of the afore-mentioned order, the petitioner has joined investigation. He further submits that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.

4. Learned State counsel, on instructions, submits that the petitioner has joined the investigation. He also submits that at this stage, the petitioner is not required for further custodial interrogation.

5. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 28.11.2025 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr.P.C. (now 482(2) of BNSS, 2023)

6. However, it is made clear that if the petitioner fails to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to him.

(AMAN CHAUDHARY)
JUDGE

March 27, 2026

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Whether speaking

: Yes/No

Whether reportable

: Yes/No