



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

207

CRM-M-73098-2025 (O&M)

Date of decision: 22.01.2026

Arshdeep Singh

... Petitioner

Vs.

Narcotics Control Bureau and Anr.

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Akshay Chadha, Advocate for the petitioner

Mr. Rajiv Sharma, Senior Panel counsel for NCB

Manisha Batra, J. (Oral).

1. The instant petition has been filed under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case arising out of Crime No.6 dated 15.04.2024 registered under Sections 8, 18, 23 and 29 of the Narcotics Drugs and Psychotropic Substances Act, 1985 (for short "NDPS") registered by Narcotics Control Bureau, Chandigarh (for short "NCB") having jurisdiction of Police Station Sahnewal, Ludhiana, on the allegations that on the basis of a specific information received by the Intelligence Officer of NCB a suspected parcel which was to be sent to Canada had been recovered and 43 pouches of opium were found concealed in two hockey sticks kept in the parcel. This parcel was picked at Dolphin Agency, Raikot, Ludhiana and was packed by two officials who disclosed that the parcel had been brought by one Police official Gobind Singh who by using the ID of Naseeb Singh had asked to send it to Canada, which was supplied to him by Gurcharan Singh. Gurcharan Singh was arrested on 16.04.2024 who on



interrogation suffered disclosure statement to the effect that the parcel containing the contraband was given to him by the petitioner. The co-accused Amritpal was also found involved and was arrested. He too suffered disclosure statement about involvement of the petitioner by saying that two hockey sticks had been given by the petitioner to him for sending the same to Canada by courier. Apprehending his arrest the petitioner moved an application for grant of anticipatory bail which was dismissed by the Special Court, Ludhiana vide order dated 18.03.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He had been residing abroad and had come to India on 10.01.2024. He had went back on 06.03.2024. There is no call detail record between himself or either of the co-accused. The recovered contraband was not given by him to the co-accused Amritpal or to anybody else. The co-accused Amritpal has even been acquitted in this case. The disclosure statement allegedly suffered by Amritpal involving the petitioner cannot be considered to be admissible in evidence. He is not seen in the CCTV footage collected by the investigating agency. He is ready to join the investigation or surrender before the learned Trial Court. There is no apprehension of his running away from the investigation or tampering with the prosecution evidence. He undertakes to come to India within the time stipulated by this Court in the event of grant of pre-arrest bail. With these broad submissions, it is urged that he deserves to be extended benefit of bail.

4. Reply has been filed by learned Senior panel counsel for NCB. It is argued by learned Senior panel counsel that the petition is not



maintainable. The petitioner is the main culprit in the case and is absconding. Warrant of arrest has already been ordered to be issued against him as he is avoiding his arrest. It was he, who had provided opium to the co-accused for sending it to Canada. He has been responsible for smuggling transportation, possession, sale and purchase of narcotics at international level. The judgment of acquittal of the co-accused has been challenged by the respondent. For the purpose of conducting thorough investigation the custodial interrogation of the petitioner is required. The petitioner had telephonically asked the co-accused Amritpal to send a parcel containing two hockey sticks to him at Canada. It is, thus, argued that the petition does not deserve to be allowed.

5. This Court has heard the rival submissions made by learned counsel for the parties.

6. The petitioner alongwith the co-accused is alleged to have been indulged in heinous crime of smuggling of narcotics at international level. The allegations against him are quite serious in nature and *prima facie* point out towards his active complicity in the crime. For the purpose of conducting thorough and proper investigation the custodial interrogation of the petitioner is must. Even otherwise the powers qua grant of anticipatory bail are required to be exercised in sparing and extra-ordinary circumstances but no such circumstances has been made out in this case. As such this Court finds no reason to allow the petition. Accordingly, the same is dismissed.

7. It is, however, clarified that nothing discussed above should be construed to be an expression of this Court on the merits of the case.



8. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

22.01.2026

Amit Sharma

(MANISHA BATRA)
JUDGE

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