



CRM-M-74125-2025 (O&M)

113

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-74125-2025 (O&M)

Date of Decision: 26.02.2026

AMANDEEP

.. Petitioner

Vs.

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Damanjit Singh Sandhu, Advocate for the petitioner.

Mr. Manipal Singh Atwal, DAG, Punjab.

...

AMAN CHAUDHARY, J. (Oral)

1. The present petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail to the petitioner in case FIR No.121 dated 02.11.2025 registered under Section 21 of NDPS Act and Section 29 of NDPS Act added later on at Police Station Aur, District SBS Nagar, Punjab.

2. On 01.01.2026, 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 petitioner in case FIR No.121 dated 02.11.2025 registered under Section 21 of NDPS Act and Section 29 of NDPS Act added later on at Police Station Aur, District SBS Nagar, Punjab.

Notice of motion. Mr. Gorav Kathuria, DAG, Punjab, has appeared and accepted 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 Jaswinder Kaur was apprehended by the police on 02.11.2025 and 6.42 grams of Heroin was recovered from her. On interrogation, she nominated the present petitioner as the supplier. Apprehending arrest, the petitioner applied for anticipatory bail, which has been dismissed by the Judge, Special Court, Shaheed Bhagat Singh Nagar, vide order dated 05.12.2025 (Annexure P-2).

Learned counsel for the petitioner argued that the petitioner has been falsely implicated in the present case. The disclosure statement of co-accused Jaswinder Kaur, whereby he has been nominated as an accused is



CRM-M-74125-2025 (O&M)

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 (CrI) 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.

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 Jaswinder Kaur 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.

Admittedly, the name of the petitioner has cropped up in the disclosure statement of co-accused Jaswinder Kaur, from whom the alleged contraband was recovered. At this stage, there is no other material against the petitioner except disclosure statement of co-accused Jaswinder Kaur. 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 26.02.2026 for filing status report.

In the 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. Learned counsel submits that in pursuance of the aforementioned order, the petitioner has not only joined investigation but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, he shall



CRM-M-74125-2025 (O&M)

4. Learned State counsel on instructions from ASI Nirmal Kumar affirms the factum of joining the investigation by the petitioner and cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.
4. 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 01.01.2026 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 482(2) of BNSS, 2023.
5. 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.

26.02.2026
Jasmine Kaur

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No