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

245

**CRM-M No.35287 of 2025  
Date of Decision: 08.09.2025**

Amritpal Singh @ Bobby

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Parminder Singh Sekhon, Advocate,  
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab,  
for the respondent-State.

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**MANISHA BATRA, J. (Oral)**

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

<b>FIR No.</b>	<b>Dated</b>	<b>Police Station</b>	<b>Sections</b>
86	21.07.2024	Sultanwind, District Police Commissionerate Amritsar	21 (c) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short ‘NDPS Act’) and 25 of Arms Act, 1959

2. As per the allegations, on 21.07.2024, on the basis of secret information to the effect that one Gurpreet Singh @ Gopi resident of Village Kakuwala was indulged in business of selling contrabands and had come to Amritsar to supply a consignment of heroin and could be apprehended from the Gurudwara Baba Gulab area where he was waiting

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for some customers of the contraband, a raiding party was immediately formed. Intimation was sent to the police station for registration of FIR. The above named Gurpreet Singh was apprehended and 500 grams of heroin was recovered from his conscious possession. He suffered disclosure statement on the basis of which Kuljinder Singh was nominated as co-accused. He was arrested on 22.07.2024. Recovery of one illegal pistol and two live cartridges was effected from him. Accused Kuljinder Singh suffered disclosure statement that the contraband was taken from Jodhbir Singh @ Jodha and was given to co-accused Gurpreet Singh. The said Jodhbir Singh @ Jodha was nominated as accused and was arrested on 22.07.2024. In pursuance of disclosure statement suffered by the co-accused Jodhbir Singh, the present petitioner and Karandeep Singh @ Mota were nominated as accused on the disclosure that Jodhbir Singh @ Jodha had taken the contraband from the petitioner and Karandeep Singh.

3. As per the further allegations, the petitioner and co-accused Karandeep Singh were already in judicial custody in connection with some other case. Their presence was secured by issuance of production warrants. They were formally arrested in this case and suffered disclosure statements admitting their involvement in this case. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statements of the co-accused which cannot be considered to be admissible in evidence. No recovery has been effected from him and even from the co-accused Jodhbir Singh @ Jodha who had allegedly named the petitioner. He is in custody

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since 27.11.2024. The trial will take considerable time. No useful purpose would be served by keeping him in custody any more. It, is therefore, urged that he deserves to be released on bail.

5. Status report and custody certificates have been filed. It is argued by learned Assistant Advocate General, Punjab that the petitioner is a habitual offender since two more cases of similar nature have been registered against him. He is not on bail in those cases. There is nothing on record to show that there would be any undue delay in conclusion of the trial. There are chances of his committing similar offences again if extended benefit of bail. It is, therefore, urged that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner is alleged to have supplied contraband to the co-accused Jodhbir Singh @ Jodha who in turn is alleged to have supplied the same to co-accused Kuljinder Singh and Kuljinder Singh is alleged to have supplied the same to accused Gurpreet Singh from whom the same was recovered. No recovery has been effected from the petitioner. He was in custody on the date of commission of subject offence. The rigours of Section 37 of the NDPS Act are not attracted qua him. His involvement in other cases cannot be considered to be a reason for denying benefit of bail to him. In view of the above discussed facts, this Court is of the opinion that a case for release of the petitioner on bail is made out. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned. and further subject to his abiding by

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the following conditions:-

- (i) The petitioner will not tamper with evidence during trial.
- (ii) he will appear before the trial Court on each and every date fixed, unless is exempted by specific order of the Court or he remains in custody in other case(s).
- (iii) the petitioner shall not commit any other offence similar to the offence of which he is an accused.
- (iv) 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 from disclosing such facts to the Court or to any police officer.
- (v) any infraction shall entail in withdrawal of the benefit granted by this court.

8. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

**08.09.2025**  
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**(MANISHA BATRA)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No