



CRM-M-33084-2025

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

216

**CRM-M-33084-2025
DECIDED ON: 16.09.2025**

IQBAL SHAH @ IQBAL SHAH KHAN**.....PETITIONER****VERSUS****STATE OF PUNJAB****.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.**

Present: Mr. Abhaysher Singh, Advocate
for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH, J (ORAL)

1. Learned State counsel has filed status report dated 15.09.2025 in the court today, and same is taken on record.
2. 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 of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Iqbal Shah@ Shah Khan, aged about 32 years	09	30.01.2025	21,25 of NDPS Act (Section 29 of NDPS Act added later on, vide GD No.15 dated 01.02.2025)	Rureke Kalan	Barnala

3. On 23.06.2025 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:-*



CRM-M-33084-2025

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Iqbal Shah @ Iqbal Shah Khan, aged about 32 years	09	30.01.2025	21, 25 of NDPS Act (Section 29 of NDPS Act added later on, vide GD No.15 dated 01.02.2025)	Rureke Kalan	Barnala

2. Counsel for the petitioner submits that initially, FIR was registered against Rajvir Singh and Gurpreet Singh from whom recovery of the intoxicant powder, weighing 306 grams was effected. Subsequently, on the basis of disclosure statement of the named and arrested accused persons, name of Iqbal Shah @ Iqbal Shah Khan (petitioner herein), Amarinder Singh and Upkar Singh were involved as accused, for committing offence under Section 29 of NDPS Act. Co-accused namely Amrinder Singh and Upkar Singh were arrested on 01.02.2025 on the basis of entry of GD No.15 dated 01.02.2025.

3. Counsel for the petitioner submits that, apart from the disclosure statement made by the arrested accused, which was recorded only after the recovery of the contraband and the registration of the FIR, there is no other substantive evidence available with the prosecution that could establish the petitioner's involvement or support the likelihood of proving his guilt.

It is also argued that disclosure statement alone, particularly one made post-recovery, cannot form the sole basis for implicating the petitioner.

4. Furthermore, it is contended that in similar cases, as referred to in paragraph No. 6(v) of the petition, this Court has been pleased to grant anticipatory bail to the accused where their nomination was solely based on such disclosure statements. Thus, counsel for the petitioner prays for grant of anticipatory bail to the petitioner by submitting that he is similarly placed and deserves the same concession.

5. Notice of motion.

6. On advance notice, Mr. Manjinder Singh Bhullar, DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.

7. Adjourned to 16.09.2025.

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



CRM-M-33084-2025

9. *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.”

4. Continuing his submissions, learned counsel for the petitioner contends that in compliance of the order dated 23.06.2025, passed by this Court, petitioner has joined the investigation, and has fully co-operated. Therefore, he prays for confirmation of the said interim anticipatory bail order.

5. Learned State counsel, confirms the said averment made by counsel for the petitioner of joining the investigation on 20.07.2025 by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

6. Heard learned counsel for the parties.

7. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 23.06.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

However, 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.

8. Accordingly, petition stands disposed of.

16.09.2025

mahima

**(SANJAY VASHISTH)
JUDGE**

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*