



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

**CRM-M-7123-2025
DECIDED ON: 07.02.2025**

ARSHDEEP SINGH **....PETITIONER**

VERSUS

STATE OF PUNJAB **....RESPONDENT**

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.

Present: Mr. Sandeep K. Bansal, Advocate,
for the petitioner.

SANJAY VASHISTH, J (ORAL)

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:-

| Name & age of Petitioner (s) | FIR No. | Date | Section(s) | Police Station | District |
|---|----------------|-------------|--|-----------------------|-----------------|
| Arshdeep Singh, aged about 17 years | 4 | 04.01.2025 | 22, 61 of the NDPS Act, and 223 of BNS, 2023, and Section 29 of the NDPS Act, added later on | Tappa Mandi | Barnala |

2. Learned counsel for the petitioner, *inter alia*, contends that total 170 intoxicant tablets have been recovered from the possession of the main accused namely Jagdeep Singh. The chemical/salt of Alprazolam tablets, if weighed, would be of about 85 mgs, which is even less than the small quantity.

3. Counsel for the petitioner further submits that the name of the petitioner has surfaced from the disclosure statement of Jagdeep Singh, and there is no substantial evidence against the petitioner. Even, there is no case registered against the petitioner, of similar nature.

Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

4. Notice of motion.

5. On advance notice, Mr. Amandeep Singh, DAG, Punjab, puts in appearance on behalf of the respondent – State, and submits that as per the instructions received by him, petitioner is not found involved in any other similar activity. Thus, he endorses the contention addressed by counsel for the petitioner today before this Court.

However, he submits that since, the report from the Forensic Science Laboratory has not been received, it cannot be ascertained whether the quantity recovered is less than the small quantity or is non-commercial.

6. Taking into consideration, the submissions addressed by counsel for the petitioner and also learned State counsel, this Court does not find any substantial reason to keep the present petition pending, because in any case, admittedly, recovery from the co-accused namely Jagdeep Singh is either less than small quantity, or non-commercial in nature.

7. Accordingly, present petition is allowed. Petitioner is directed to join the investigation, within a period of one week from today,

and on his joining, he would be released on 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.).

8. Besides, the petitioner would submit/surrender his passport before the Arresting Officer and an undertaking on oath that in case of leaving the Country, he would seek prior permission from the Investigating Agency/concerned Court.

9. However, it is made clear that in case, petitioner does not join the investigation, within the specified period, it will be open for the prosecution to seek the cancellation of bail granted to the petitioner by this Court.

10. It is also made clear that in case, Investigating Officer himself wants to get the petitioner joined the investigation, he will inform the petitioner in writing, in advance.

(SANJAY VASHISTH)
JUDGE

07.02.2025

Lavisha

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