

2025:PHHC:131142



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-45952-2025

Date of decision: September 22, 2025

Gurbachan Pal Singh

....Petitioner

versus

State of Punjab

....Respondent

**CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

**Present:** Mr. Yajur Sharma, Advocate for the petitioner.

Mr. Baljinder Singh Sra, Additional AG Punjab.

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**SUMEET GOEL, J. (ORAL)**

Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of concession of anticipatory bail to the petitioner in case FIR No.57 dated 22.06.2024, registered for offences punishable under Section 21 of the NDPS Act, 1985 (for short 'NDPS Act') (Section 29 of the NDPS Act added later on), at Police Station Longowal, District Sangrur.

2. On 22.08.2025, the following order was passed:

*"Petitioner prays for grant of pre-arrest bail in FIR No.57 dated 22.06.2024 registered under Section 21 of the NDPS Act at Police Station Langowal, District Sangrur.*

*Learned counsel for the petitioner contends that the petitioner was not named in the FIR nor the averments made in the FIR connect him with the alleged commission of crime in any manner. His name was mentioned in the disclosure statement suffered by his co-accused Rajvir Singh @ Raja and except such statement, there is no other legally admissible evidence against him. He next submits that co-accused Gurdeep Singh, Rajvir Singh @ Raja and Gurnam Singh @ Peetar have been granted the concession of bail by this Court vide orders Annexures P-4 to P-6,*

*respectively. Learned counsel also contends that the petitioner is a first offender and was not involved in any other criminal activities.*

*Notice of motion.*

*On the asking of Court, Mr. M.S. Bajwa, DAG, Punjab accepts notice on behalf of the respondent-State.*

*List on 22.09.2025.*

*In the meantime, the petitioner is directed to join the investigation. In the event of arrest, he shall be released on interim bail to the satisfaction of arresting/investigating officer subject to the conditions envisaged under Section 438 (2) Cr.P.C./482 (2) of BNSS, 2023.”*

3. Learned State counsel (on instructions) has submitted that pursuant to the order dated 22.08.2025, the petitioner has indeed joined investigation, and his custodial interrogation is not required. He has also filed the status report by way of an affidavit dated 21.09.2021 of Harvinder Singh PPS, Deputy Superintendent of Police Sub-Division, Sunam, Udham Singh Wala, District Sangrur in the Court today, which is taken on record.

4. Keeping in view the factual milieu of the case in hand; especially the factum of the petitioner having joined investigation; he is not required for custodial interrogation; and he being arrayed as an accused on the basis of disclosure statement; this Court is inclined to confirm the order dated 22.08.2025, in light of the dicta of judgment passed by this Court in *CRM-M-54032-2024 ‘Ashu Vs. State of Punjab’* and the judgment passed by the Hon’ble Supreme Court in *‘Jugraj Singh Vs. State of Haryana bearing Special Leave to Appeal (Crl.) No.9190/2025.*

5. Accordingly, the petition is allowed, and the order dated 22.08.2025 granting interim anticipatory bail to the petitioner is hereby made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS.

6. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be

confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

7. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS or upon showing any other sufficient cause.

8. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

9. Pending application(s), if any, shall also stand disposed of.

**(SUMEET GOEL)**  
**JUDGE**

**September 22, 2025**

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No