

2025:PHHC:060698



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

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CRM-M-22797-2025

Date of decision: May 08, 2025

JAGJITPAL SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Amit Arora, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J.

1. The instant petition has been filed under Section 482 of the BNSS, 2023 for grant of anticipatory bail to the petitioner in case FIR No.0050 dated 19.08.2024 under Section 25 of Arms Act, 1959 and Sections 336(3), 338, 340(1), 340(2), 61(2) of the BNS, 2023, registered at Police Station State Special Operation Cell, Amritsar, District Intelligence Wing (CID) Amritsar.

2. Learned counsel for the petitioner submits that a secret information was received *qua* the involvement of one Digvijay Singh in the smuggling of firearms etc. Following the secret information, when co-accused Digvijay Singh was arrested, a recovery of firearm ammunition was effected from him. During investigation, Digvijay Singh disclosed that co-accused Gurpreet Singh and Sunny Lodhi were also part of his illegal activities; a forged passport of co-accused Digvijay Singh was then recovered from both these accused. When investigation was further carried out by the police, learned counsel submits that they apprehended one



Inderdeep Singh. Co-accused Inderdeep Singh got recovered 1 kg of heroin following his own disclosure statement from a vehicle. It has been argued by the learned counsel that the petitioner's name surfaced later and that too, in the disclosure statement of co-accused Inderdeep Singh, who claimed that the recovered contraband had been procured through the petitioner. Learned counsel has submitted that the evidentiary value of the disclosure statement, on the basis of which the petitioner has been arraigned as an accused in the present case, is of a weak nature and inadmissible. He submits that in the circumstances, it clearly lends credence to his false implication in the present case.

3. On a pointed query, learned counsel for the petitioner has submitted that the petitioner is booked in one other case under the NDPS Act and Arms Act, however, the alleged recovery in the previously filed case against the petitioner has not been classified as 'commercial' under the NDPS Act. It has also been submitted that the petitioner had been released on bail in the previously filed case under the NDPS Act on 19.08.2023.

4. I have heard learned counsel for the petitioner and perused the relevant material placed on record.

5. *Prima facie*, it does come across that the petitioner is a man of criminal antecedents and is a habitual offender. Despite being released on bail in another case filed under the NDPS Act, it transpires that the petitioner has yet again participated in a case under the NDPS Act. No doubt, a disclosure statement does not hold much evidentiary value, however, at this



stage, keeping in view all the surrounding circumstances and the petitioner's involvement in another case under the NDPS Act, and furthermore, he being booked while he was on bail, weigh against the petitioner from being granted the concession of anticipatory bail.

6. In the totality of the circumstances, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.

7. Accordingly, the instant petition stands dismissed.

8. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

May 08, 2025

Jaspreet Kaur

(MANJARI NEHRU KAUL)

JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*