

2025:PHHC:130246



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

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CRM-M-32518-2025 (O&M)

Date of decision: 19.09.2025

JATINDER SINGH SANGHA

..Petitioner

Versus

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. RP Dhir, Advocate for the petitioner.
Mr. Jasjit Singh, DAG, Punjab.

AMAN CHAUDHARY, J. (Oral)

1. The present petition has been filed under Section 482 BNSS, 2023, for grant of anticipatory bail to the petitioner in case FIR No.65, dated 08.05.2025, under Sections 22/29/61/85 of NDPS Act, registered at Police Station Mahilpur, District Hoshiarpur.

2. On 16.06.2025, this Court had passed the following order:-

“Apprehending his arrest in FIR No.65, dated 08.05.2025, registered for offences punishable under Sections 22/29/61/85 of the NDPS Act, at Police Station Mahilpur, District Hoshiarpur, the petitioner has preferred this petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.

As per case of the prosecution, one Sukhdeep Singh was apprehended and 22 loose intoxicating tablets were recovered from him. Sukhdeep Singh is further stated to have suffered disclosure while in police custody which led to nomination of the present petitioner as the source of the intoxicating tablets.

Counsel for the petitioner submits that the case of the prosecution has no legs as even the salt of the tablets has not been ascertained till date.

On a pointed query from the counsel for the State, he fails to disclose w.r.t. any effort made by the police authorities to ascertain the salt of the alleged intoxicating tablets recovered from the possession of Sukhdeep Singh.

Counsel for the petitioner further submits that petitioner has clean antecedents and has been nominated on the basis of disclosure made by Sukhdeep Singh in a police custody. Reliance is being placed upon law laid down by Supreme Court in the case of Tofan Singh vs. State of Tamil Nadu, (2021) 4 SCC 1.

Issue notice of motion, returnable for 19.09.2025.

Mr. Akhil Kamra, AAG, Punjab accepts notice on behalf of the respondent/State.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. As and when called, the petitioner shall join the investigation. He shall abide by the conditions enumerated under Section 482 of the BNSS, 2023.”

3. Learned counsel submits that in pursuance of the afore-mentioned order, the petitioner has not only joined investigation but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.

4. Status report on behalf of the respondent-State filed in the Court, is taken on record

5. Learned State counsel on instructions from ASI Rachhpal Singh, affirms the factum of joining the investigation by the petitioner and cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.

6. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 16.06.2025 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 482(2) of BNSS, 2023.

7. However, it is made clear that if the petitioner fails to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to him.

(AMAN CHAUDHARY)
JUDGE

19.09.2025

ashok

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No