



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

204

CRM-M-26806-2025 (O&M)

Date of decision: 25.08.2025

Upkar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Ms. Garima Arora, Advocate for
Mr. Naresh Kalia, Advocate for the petitioner

Mr. M.S. Bajwa, DAG Punjab

AMAN CHAUDHARY, J. (ORAL)

1. The present petition has been filed under Section 482 BNSS for grant of anticipatory bail to the petitioner in case FIR No.39 dated 08.04.2025, registered under Section 22 of NDPS Act (Section 29 of NDPS Act added later on), at Police Station Sudhar, District Ludhiana.

2. On 16.05.2025, this Court had passed the following order:-

“ CRM-20269-2025

This is an application, under Rule 3(A)(i) of Chapter 6, Part-B, Volume-V, of the High Court Rules and Orders, seeking leave to appeal, act or plead before this Court.

For the reasons mentioned in the application, the same is allowed as prayed for.

Main case

The petitioner has filed the present petition under Section 482 of B.N.S.S with a prayer to grant anticipatory bail to him in case FIR No.39, dated 08.04.2025, under Sections 22 of NDPS Act and 29 of NDPS Act added later on, registered at Police Station Sudhar, Ludhiana (Annexure P-1).

Learned counsel for the petitioner contends that Jaswant Singh @ Ricky, co-accused was apprehended by the police, while he was carrying 50 loose intoxicant tablets and the

present case was registered against him. He next contends that the petitioner is neither named in the FIR nor had any connection with the allegations levelled in the F.I.R. He further contends that the petitioner has been nominated as an accused in the present case on the basis of the disclosure statement suffered by Jaswant Singh @ Ricky, co-accused. He next contends that the petitioner is a first offender and was never involved in any other criminal activity.

Notice of motion.

On the asking of the Court, Mr. I.P.S Sabharwal, DAG, Punjab, who is present in the Court, accepts notice on behalf of the respondent-State.

Learned State counsel opposes the submissions made by learned counsel for the petitioner, however, he submits that two more caes under the provisions of IPC were registered against the present petitioner, however, no case under the provisions of NDPS Act was registered against him.

Adjourned to 11.08.2025.

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 provided under Section 482 (2) of B.N.S.S.”

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. Learned State counsel on instructions 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.

5. 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 16.05.2025 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C.

6. 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**

25.08.2025

M.Kamra

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