

2025:PHHC:081093



216.

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

**CRM-M-27694-2025**

Date of decision: 08.07.2025

Mandeep Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Jaspal Singh Pannu, Advocate, and  
Mr. Sandeep Singh, Advocate, for the petitioner.

Mr. H.S.Deol, Senior DAG, Punjab.

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**MANJARI NEHRU KAUL, J. (ORAL)**

1. The petitioner is seeking the concession of anticipatory bail, under Section 482 of BNSS, 2023, in case FIR No.0026, dated 19.03.2025, under Sections 22(c) and 29 of NDPS Act and Section 223 of BNS (Section 27 of NDPS Act added lateron), registered at Police Station Raman, District Bathinda.

2. On the previous date of hearing i.e. 03.06.2025, a coordinate Bench of this Court had stayed the arrest of the petitioner by noticing the following submissions made by the counsel for the petitioner:-

“Learned counsel for the petitioner contends that the petitioner has been nominated on the disclosure statement of co-accused, namely, Raunak Singh from whom the alleged contraband has already been recovered and the petitioner has been falsely implicated in the present FIR.”

3. Learned State counsel has strongly opposed the grant of anticipatory bail to the petitioner. It has been submitted that although the petitioner has been nominated in the FIR on the basis of a disclosure statement made by co-accused, Raunak Singh, from whom, a recovery of 3550 tablets of tramadol and 750 intoxicant capsules was made, the criminal antecedents of the petitioner disentitle him from seeking the extraordinary relief of anticipatory bail.

4. Learned State counsel has further pointed out that the petitioner is already facing trial in another case registered under the NDPS Act, thereby indicating a pattern of repeated involvement in offences of similar nature. It has also been asserted that the petitioner has misused the concession of bail granted in the previous matter and is prima facie a habitual offender. In such circumstances, a prayer has been made for dismissal of the instant petition.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. While it is settled principle of law that a person cannot be convicted solely on the basis of a disclosure statement under Section 27 of the Evidence Act, and that such statements, unless supported by independent evidence or recovery, may carry limited evidentiary value, the criminal antecedents of the petitioner cannot be ignored. The petitioner is admittedly facing prosecution in another case under the NDPS Act. This fact proves that he has previously come into conflict with law in relation to

offences of a similar nature. His past conduct demonstrates a pattern of engagement with the offences under the NDPS Act and creates a reasonable apprehension that, if granted anticipatory bail, he may again misuse the liberty extended to him.

7. Anticipatory bail is an extraordinary relief and is not to be granted as a matter of course, especially in cases involving serious offences under the NDPS Act, which are considered a menace to society and carry stringent statutory presumptions. The petitioner's involvement, albeit through a disclosure statement at this stage, when viewed alongside his criminal antecedents, tilts the balance against the grant of anticipatory bail to him.

8. In view of the foregoing discussion and the petitioner's criminal antecedents, and the potential for misuse of bail, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.

9. Present petition stands dismissed accordingly.

10. 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.

**(MANJARI NEHRU KAUL)**  
**JUDGE**

**July 08, 2025**

sanjeev

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No