



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

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**CRM-M-19343-2025
Decided on : 21.05.2025**

Gurjit Singh alias Yama

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Gursimran S. Bawa, Advocate
for the petitioner(s).

Mr. Manjinder S. Bhullar, DAG, Punjab
assisted by ASI Tejinder Singh.

SANJAY VASHISTH, J. (Oral)

1. In the present petition, on 08.04.2025, following order was passed by this Court:-

“ Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

<i>Name & age of Petitioner (s)</i>	<i>FIR No.</i>	<i>Date</i>	<i>Section(s)</i>	<i>Police Station</i>	<i>District</i>
<i>Gurjit Singh @ Yama, aged about 32 years</i>	<i>20</i>	<i>13.03.2025</i>	<i>21, 29 of NDPS Act</i>	<i>Khilchian</i>	<i>Amritsar Rural</i>

2. Learned counsel for the petitioner, inter alia, contends that recovery of 5 grams of Heroin was effected from the main accused i.e. Amandeep Singh @ Ammu, and thereupon, FIR was registered against him alone. Initially, in the version of the FIR, name of the petitioner was not mentioned.

However, subsequently, disclosure statement was recorded of the arrested accused – Amandeep Singh @ Ammu, and it is only on the basis of said disclosure statement, petitioner has been implicated in the present case, with the allegation that he supplied the recovered Heroin from the main accused to him, and thereupon, Section 29 of NDPS Act, was attracted.

3. Counsel further submits that without there being any connecting evidence, to prove the allegation, solely on the basis of disclosure statement, prosecution cannot succeed on the allegations levelled against the petitioner, therefore, his personal liberty cannot be curtailed, only due to naming of the petitioner in a disclosure statement of already arrested accused.



Counsel also submits that petitioner is ready to join investigation and cooperate with the investigating agency. Thus, prays for grant of concession of anticipatory bail.

4. *Notice of motion.*

5. *On asking of the Court, Mr. Amandeep Singh, DAG, Punjab, accepts notice and seeks some time to respond to the submissions addressed by learned counsel opposite, after seeking instructions, and, in case of necessity, to file status report.*

Let a copy of the complete paper book be supplied to learned State counsel during course of the day.

6. *Adjourned to 21.05.2025.*

7. *In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

8. *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.*

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.”

2. Learned counsel for the petitioner contends that in compliance of the order dated 08.04.2025, passed by this Court, the petitioner has already joined the investigation and is ready to co-operate with investigation agency, as and when same is required again.

3. On the other hand, learned State counsel, also confirms the said statement of joining the investigation and thus, submits that the custodial interrogation of the petitioner is not required, at this stage, for the purpose of investigation.

Besides, learned State counsel has filed the status report 16.05.2025 in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioner.

4 Heard.



5. Since the petitioner has already joined the investigation and his custodial interrogation is not even asked for, present petition is **allowed** and the ad-interim order dated 08.04.2025 is hereby made absolute.

However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

6. Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

7. **Accordingly, petition stands disposed of.**

**(SANJAY VASHISTH)
JUDGE**

May 21, 2025

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No