

CNR No. PBBT010067842025



Case No. BA/2338/2025

Presented on : 11-06-2025
Registered on : 11-06-2025
Decided on : 23-06-2025

**IN THE COURT OF DR. RANJAN KUMAR KHULLAR,
VACATION JUDGE, BATHINDA
(UID PB0215)**

BA/2338/2025

Application for Anticipatory Bail
FIR No. 81 dated 01.05.2025
Under Section 22, 29 NDPS Act
P.S. Talwandi Sabo (Bathinda)

Ranjeet Singh aged 32 years son of Balveer Singh, resident of
Bhagi Wander, Tehsil Talwandi Sabo, District Bathinda.

Versus

State

Shri Iqbal Singh, Advocate, counsel for applicant.
Additional Public Prosecutor for the State.

ORDER
(Delivered on 23-06-2025)

(1) After being nominated as supplier of the recovered contraband and while apprehending his arrest, the applicant Ranjeet Singh has approached this Court by filing the instant application under Section 482 Bhartiya Nagarik Suraksha Sanhita 2023, seeking anticipatory bail in aforementioned FIR.

(2) As per prosecution story on 01.05.2025, the police of PS Talwandi Sabo apprehended co-accused Gurpal Singh and Jagseer Singh carrying 30 tablets of Tramadol Hydrochloride Trekem-100, without any permit or license. During investigation, co-accused nominated the

applicant being supplier of recovered contraband. Consequently, the applicant was nominated in this case vide DDR no. 02 dated 02.05.2025. and while apprehending his arrest, he has approached this Court for grant of anticipatory bail.

(3) I have heard learned counsel for both sides.

(4) The learned applicant counsel has argued that no contraband material was recovered from the applicant, and he was nominated on the alleged disclosure of co-accused. But there was no iota of evidence with the police to implicate the present applicant in the alleged narcotic trade, which is not admissible in evidence, as held by Hon'ble Supreme Court in *Tofan Singh v. State of Tamil Nadu*, (2021) 4 SCC 1. With these contentions, a prayer is made for grant of anticipatory bail to the applicant.

(5) On the other hand, learned Additional Public Prosecutor for the State opposed the bail plea on the premise that role of the accused has been duly narrated by co-accused Gurpal Singh and Jagseer Singh. He further argued that applicant has a criminal past being involved in different FIRs relating to violation of NDPS Act. It is asserted that the presence of the applicant is required for custodial interrogation. Hence, a prayer is made for dismissal of the bail application.

(6) I have considered the rival submissions of both sides.

(7) There is no dispute to the fact that as per prosecution case, the applicant was nominated after the factum disclosed by co-accused his role being supplier of illicit contraband. The question arises as to if such disclosure of co-accused is admissible in the eyes of law.

(8) Hon'ble Supreme Court has settled such controversy in its recent decision, *The State of Haryana v. Samarth Kumar*, MANU/SC/1173/2022, wherein it was held that accused may be able to take advantage of the decision in *Tofan Singh's* case (supra), at the time of seeking regular bail or at the time of final hearing after the conclusion of the trial. In other words, the disclosure made by a co-accused is not liable to be rejected outrightly.

(9) Now reverting to the case in hand, where the custodial interrogation of applicant appears to be requisite facilitating the police to reveal the entire modus operandi. Even otherwise, the antecedent of the applicant reveals his indulgence in certain previous criminal cases.

(10) Having regard to the requirement of the applicant for custodial interrogation and his criminal antecedents, this court does not find it appropriate to extend the benefit of anticipatory bail to him.

(11) Consequently, the bail application is dismissed.

(12) Nothing said hereunder this order shall be considered as final opinion touching the merits of the case and these observations are relevant for disposal of the application in hand only.

(13) Copy of the order be sent to concerned quarters for information. Records be consigned.

PRONOUNCED IN OPEN COURT ON 23rd JUNE 2025.

(Dr. Ranjan Kumar Khullar,
Vacation Judge, Bathinda
UID No.PB0215

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Stenographer Gr-I