



103

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

**CRM-M-33072-2025
DECIDED ON: 24.03.2026**

INDERJIT SINGH @ HAPPY**.....PETITIONER**

VERSUS

STATE OF PUNJAB**.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.**

Present: None for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J (ORAL)

1. Present petition has been filed for grant of anticipatory bail to the petitioner, in case bearing FIR No.34 dated 24.05.2025 u/s 21(c), 61 and 85 of NDPS Act, 1985, registered at Police Station Behrampur, District Gurdaspur.

2. After hearing the submissions addressed by counsel for the petitioner, on 23.06.2025, following order was passed:-

“2. Learned counsel for the petitioner submits that recovery of 266 grams of heroin was effected from the main accused, namely Badal. However, name of the petitioner does not figure in the FIR, nor he was implicated during the course of initial investigation. It was only at a later stage, and merely on the basis of an alleged disclosure statement, that petitioner was made an accused in the present case. It is argued that, as per the settled position of law, disclosure statement alone, unless corroborated by some other substantive evidence, carries no evidentiary value and cannot form the sole basis for implication.

3. Counsel further points out that, even at the time of effecting of recovery of contraband from the main accused, neither any independent witness



was joined nor gazetted officer was called on the spot. It is also submitted that although the petitioner is named in two other criminal cases, as mentioned in paragraph 15 of the petition, but he has already been granted bail in the NDPS case (FIR No.2 dated 11.01.2024). In respect of the other case i.e. FIR No.73 dated 08.08.2022, dispute has been compromised between the parties.

4. *Emphasizing that petitioner is neither an habitual offender under the NDPS Act nor has ever been convicted by any court of law, counsel for the petitioner contends that custodial interrogation is not warranted in the present circumstances. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.*

5. *Notice of motion.*

6. *On advance notice, Mr. Manjinder Singh Bhullar, DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

7. *Adjourned to 16.09.2025.*

8. *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.).*

9. *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.”

3. On the next date of hearing, i.e., 16.09.2025, learned counsel for the petitioner submitted that due to certain family issues, petitioner could not join the investigation in compliance with the directions earlier issued by this Court, and accordingly prayed for a last opportunity.

4. Today, there is no representation on behalf of the petitioner.



5. However, learned State counsel, on instructions from ASI Harbans Lal, submits that despite being granted opportunities to join the investigation on two occasions, i.e., on 23.06.2025 and 16.09.2025, petitioner has failed to comply with the directions passed by this Court, and has not come forward to join the investigation. He, therefore, prays for dismissal of the present petition.

6. In view of the fact that petitioner has failed to join the investigation despite being granted sufficient opportunities on two occasions, this Court finds no reason to keep the present petition pending or to grant anticipatory bail to the petitioner. **Accordingly, present petition is dismissed.**

7. Investigating Officer is directed to proceed further in accordance with law, without any delay.

24.03.2026

Lavisha

(SANJAY VASHISTH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>