

# Sunny Singh vs State Of Punjab on 17 March, 2025

Neutral Citation No:=2025:PHHC:035707

CRM-M-13753-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-13753-2025 (O&M)

Date of decision: 17.03.2025

Sunny Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Raghav Soni, Advocate  
for the petitioner.

Mr. Subhash Godara, Addl. A.G., Punjab.

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HARPREET SINGH BRAR, J. (ORAL)

1. Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.05 dated 09.01.2025 under Sections 21 & 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), registered at Police Station Division 8, District Jalandhar.

2. Briefly, the facts of the case are that on 09.01.2025, ASI Gurwinder Singh along with other police officials was on patrolling duty and 1 of 3 Neutral Citation No:=2025:PHHC:035707 was going towards Village Reru from Transport Nagar side. On reaching Village Reru, the police party noticed two persons standing next to an Acura bearing registration No.PB-08-EW-5009 near a farm wall and they were weighing something on scooter's seat. On seeing the police party, they tried to run away, however, the Investigating Officer apprehended them and they disclosed their respective

names as Davinder Singh @ Gopi and Gurveer Singh and confessed that they had to supply the alleged contraband to one Ramanjeet Singh @ Raman. After following due procedure prescribed under the provisions of NDPS Act, 50 grams of heroin was recovered from aforementioned three accused.

3. Learned counsel for the petitioner, inter alia, contends that the petitioner is not named in the FIR (supra) and he has been falsely implicated. Admittedly, the alleged contraband has been recovered from conscious and exclusive possession of co-accused. The petitioner has been nominated as an accused only on the basis of disclosure statement made by co-accused during his custodial interrogation, which has no evidentiary value in the eyes of law, as the same is hit by Section 25 of Indian Evidence Act, 1872 (now Section 23(1)(2) of Bharatiya Sakshya Adhiniyam, 2023). Further, the alleged recovered contraband does not fall within the ambit of commercial quantity.

4. Per contra, learned State counsel appears on advance notice and opposes the prayer for grant of anticipatory bail to the petitioner on the ground 2 of 3 Neutral Citation No:=2025:PHHC:035707 that the petitioner is supplier of the contraband recovered from co-accused and is involved in one more case under NDPS Act, as such, his custodial interrogation is required to unearth the supply chain.

5. Having heard learned counsel for the parties and after perusing the record of the case with their able assistance, it transpires that the petitioner is supplier of the alleged contraband and he is involved in one more case under NDPS Act. As such, custodial interrogation of the petitioner is imperative to find out the supply chain of the alleged contraband.

6. Keeping in view the facts and circumstances of the case, without commenting anything further on merits of the case, lest it may prejudice the rights of either of the parties, this Court finds no ground to grant the concession of anticipatory bail to the petitioner.

7. Accordingly, the present petition is dismissed.

17.03.2025  
vishnu

[ HARPREET SINGH BRAR ]  
JUDGE

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

