

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

102

CRM-M-38810-2025

MANJEET SINGH @ RODU

...PETITIONER

V/S

STATE OF PUNJAB

....RESPONDENTS

Present: Mr. Gurbir Singh Dhillon, Advocate
for the petitioner.

Mr. Jastej Singh, Addl. AG, Punjab.

1. **Prayer**

The present petition has been filed under Section 482 BNSS for grant of anticipatory bail to the petitioner in FIR No.19 dated 01.03.2025 under Sections 22/29 of NDPS Act, 1985, registered at Police Station Ladhuwal, District Police Commissionerate, Ludhiana.

2. **Contentions**

On behalf of the petitioner

Learned counsel for the petitioner would contend that the instant case is a clear example of false allegations at the hands of governance in the State. Learned counsel submits that on 01.03.2025, the police party apprehended Kuldeep Singh @ Keepa and Balibir Singh @ Bira and recovered intoxicant tablets weighing 8.280 gms etizolam which falls within the ambit of commercial quantity and the present petitioner was named in the FIR on the disclosure statement of co-accused. He would assert that each strip amounting to Rs.30/- consisting of 15 tablets

of Etizolam and the total cost of 90 tablets weighing 8.280 gms as has been recovered in the instant case was not more than Rs.100 /-. He would further submit that it has now become the modus operandi for the State government to creat its own figures to alure the voters with an eye on ensuing assembly elections under the garb of slogan - *Yudh Nasheyan Virudh* given by the Chief Minister of the State.

Learned counsel for the petitioner undertakes that the petitioner is ready and willing to join the investigation and cooperate with the investigating officer.

Notice of motion.

On behalf of the State

On the other hand, Mr. Jastej Singh, Addl. AG, Punjab having served with an advance copy of the petition would deny in total the aforesaid allegations especially causing the State government having any kind of mala fide and would submit that recovery has been effected from the conscious possession of the co-accused and on whose disclosure statement, the name of the petitioner has been nominated as an accused thereafter.

However, he could not deny about the fact qua the cost of the contraband as well as antecedents of the petitioner that he is not involved in any other case as per record and information furnished by the Investigating Officer through ASI Jiwan Singh in the Court.

3. **Analysis**

Be that as it may having regard to the fact that the quantity of the contraband is commercial in nature but the cost part of the alleged contraband and the assertions made on behalf of the petitioner do need to

be taken into consideration against which this Court cannot sit idle as a mute spectator being a guardian of the Constitution and in case, the administration within the State of Punjab fails to provide a safe environment to its citizens, the Court can suo moto step in and direct the State to take effective measures to create a congenial environment.

This Court is also of the view having flooded with the multiple cases on the same pattern for the last one month or so, for which assertions of the petitioners cannot be ignored wherein either non-commercial quantity of Heroin or any other intoxicating salt like Etizolam, Alprazolam, etc. people are being nominated as accused in the manner where recovery has not been effected from one but after obtaining disclosure statement various other persons are nominated thereafter as accused to increase the number of apprehended persons in the State.

State is directed to file an affidavit to respond to the aforesaid assertions made on behalf of the petitioner.

Mr. Dhillon, learned counsel for the petitioner further pointed out that in the order dated 10.06.2025 passed by the Court below while declining the concession of anticipatory bail, the quantity of recovered contraband had been wrongly recorded as 8.20 gms whereas according to the FIR including FSL report, the quantity is 07.20 gms to which Mr. Jastej also seeks time to get instructions and verify the same.

4. **Relief**

In the meantime, the petitioner is directed to be released on interim anticipatory bail subject to him joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of

Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS of which are reproduced below :-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

- (i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*
- (ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
- (iii) a condition that the person shall not leave India without the previous permission of the Court;*
- (iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’*

Adjourned to 08.08.2025.

(SANDEEP MOUDGIL)
JUDGE

23.07.2025

Nisha Yadav