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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-771-2025 (O&M)
Date of decision : 11.02.2025

Prince

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Gurmandeep Singh, Advocate,
for Mr. Sarthak Jindal, Advocate for the petitioner.

Ms. Manjot Kaur, A.A.G., Punjab.

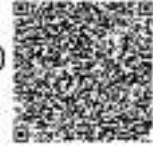
MAHABIR SINGH SINDHU, J.

Petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short, 'the B.N.S.S.'*) has been filed for grant of pre-arrest bail to the petitioner in FIR No.185 dated 23.11.2022, under Section 21(b) [Section 29 added subsequently] of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short, 'NDPS Act'*), registered at Police Station City-1, Mansa.

(2) Learned Counsel contends that petitioner was granted interim bail by this Court vide order dated 10.01.2025 and in pursuance thereof, he has already joined the investigation; hence, his custodial interrogation is not required.

(3) The above factual position is duly acknowledged by learned State Counsel, on instructions from Inspector Beant Kaur and

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submits that as on today, custodial interrogation of the petitioner is not required.

(4) Heard learned Counsel for the parties and perused the paper-book.

(5) It transpires that petitioner was granted interim bail by the this Court vide order dated 10.01.2025 and the order reads as under:-

“Contends, inter alia, that petitioner is not named in the FIR nor any contraband has been recovered from him; rather as per the allegations of prosecution, only 15 grams of heroin was recovered from the main accused, namely, Rajinder Singh and he was already granted regular bail by learned Special Court, Mansa.

Notice of motion.

At this stage, Mr. Kunwarbir Singh, learned AAG, Punjab accepts notice on behalf of respondent; seeks time to have instructions and/or to file response in the matter.

Posted for 11.02.2025.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.”

(6) It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner has joined investigation and his custodial interrogation is not required.

(7) In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioner. Consequently, present petition is allowed; interim order dated 10.01.2025 is made absolute subject to the conditions as envisaged under Section 482(2) BNSS.

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(8) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

(9) The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.

(10) It is also clarified that in case of any recurrence on the part of petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

11.02.2025

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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No