



213

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3335-2025
Decided on : 12.05.2025

Prince Garg . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Ms. Mankirat Kaur Sra, Advocate for
Mr. Baljinder Singh Sra, Advocate
for the petitioner(s).

Mr. Manjinder S. Bhullar, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. In the present petition, on 13.02.2025, following order was
passed by this Court:-

“ Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Prince Garg, aged about 37 years	147	20.09.2024	21(c), 20, 61, 85 of NDPS Act, and Sections 25, 54, 59 of the Arms Act and Section 27-A and 29 of NDPS Act added later on	Special Task Force STF Wing	Jalandhar

2. Learned counsel for the petitioner, inter alia, contends that admittedly, no case has been registered against the petitioner under the NDPS Act, except the present one. Petitioner has been made accused in the present case, on the basis of the disclosure statement of the co-accused namely Sanjeev Chawla. In the initial version of the FIR, name of the petitioner does not appear. Even, in the secret information received by the police, whereupon the FIR in question was registered, petitioner was not named.

Counsel for the petitioner further submits that father of the petitioner had been arrested with the cash amount of more than Rs.74 lacs, and all the required recoveries have already been affected. Subsequently, father of the petitioner namely Pawan Kumar was granted bail by this Court, vide order dated 15.01.2025 passed in CRM-M-63592-2024.

3. Counsel for the petitioner also submits that the petitioner



has been dragged in the case only for the reason that he has been staying with his father. Even, there is no direct evidence to strengthen the claim of the prosecution that the cash amount recovered is from the business of narcotic drugs. Till date, investigating agency has not even collected any electronic evidence to show the connectivity of the petitioner's father with any person, who is involved in the drug business, or was ever earlier found indulged in the NDPS cases and facing the prosecution.

He further submits that the petitioner is ready to join the investigation and cooperate with the investigating agency, in case, he is protected from arrest, by this Court. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

4. *Notice of motion.*

5. *On advance notice, Mr. Gauravdeep S. Dhaliwal, AAG, Punjab, puts in appearance on behalf of the respondent – State, and files status report dated 31.01.2025 in the matter.*

6. *Adjourned to 08.04.2025.*

7. *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.).*

8. *Besides, the petitioner would submit/surrender his passport before the Arresting Officer and an undertaking on oath that in case of leaving the Country, he would seek prior permission from the Investigating Agency/concerned Court.”*

2. Learned counsel for the petitioner contends that in compliance of the order dated 13.02.2025, passed by this Court, the petitioner has already joined the investigation and is ready to co-operate with investigation agency, as and when same is required again.

3. On the other hand, learned State counsel, also confirms the said statement of joining the investigation and thus, submits that the custodial interrogation of the petitioner is not required, at this stage, for the purpose of investigation.

4 Heard.

5. Since the petitioner has already joined the investigation and his custodial interrogation is not even asked for, present petition is **allowed** and the ad-interim order dated 13.02.2025 is hereby made absolute.

However, petitioner shall continue to join the investigation as



and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

6. 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.

7. **Accordingly, petition stands disposed of.**

(SANJAY VASHISTH)
JUDGE

May 12, 2025

J.Ram

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