

CRM-M-4013-2025
Date of decision: 26.05.2025

BUTA SINGH

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Ms. Arshdeep Kaur, Advocate for
Mr. Yashpal Thakur, Advocate for the petitioner.

Mr. K.D. Sachdeva, DAG Punjab.

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SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 BNSS, 2023, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
175	19.12.2024	18 and 29 of NDPS Act	City Sunam, District Sangrur.

2. Learned counsel for the petitioner submits that in compliance to the order dated 24.01.2025, the petitioner has joined the investigation.

3. During the course of hearing on 24.01.2025, following order had been passed: -

“ Prayer is for grant of anticipatory bail to the petitioner under Section 482 of BNSS, 2023 in criminal case having FIR No.175 dated 19.12.2024 registered under Sections 18/29/61/85 of NDPS Act at Police Station City Sunam, District Sangrur, Punjab.



Counsel for the petitioner inter alia submits that the FIR in this case was registered against co-accused Manjit Singh from whom police stated to have recovered 250 grams of opium which comes under non-commercial quantity. The petitioner is nominated as accused on the basis of disclosure statement suffered by co-accused Manjit Singh. That any such disclosure statement suffered by co-accused against the present petitioner is inadmissible in evidence and otherwise also rigors of Section 37 of NDPS Act are not attracted to the instant case and that petitioner at present is not facing any other criminal case under NDPS Act and is ready and willing to join investigation with the police.

Notice of motion.

Mr. Jasjeet Singh Dhaliwal, AAG, Punjab accepts notice on behalf of the State and submits that petitioner, who is nominated as an accused on the basis of disclosure statement suffered by co-accused Manjit Singh from whom police recovered 250 grams of opium is required by the police for the purpose of proper investigation of the case. Learned State counsel prays for time to seek instructions with regard to criminal antecedents of the petitioner.

In view of the fact that the veracity and admissibility of the disclosure statement suffered by co-accused against the present petitioner is subject matter of trial and further stringent provisions of Section 37 of NDPS Act are not attracted to the instant case at this point of time, the petitioner is hereby directed to join investigation with the police and in case of arrest, he is directed to be released on interim bail by the IO/Arresting Officer to his own satisfaction till the next date of hearing. The petitioner is to abide by the conditions as envisaged under Section 482(2) of BNSS, 2023.

Now be listed on 26.05.2025.”



4. Learned State counsel on instructions received from ASI Gurmail Singh informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 24.01.2025 passed by this Court, interim bail granted vide order dated 24.01.2025 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of BNSS. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.

7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

26.05.2025

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(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |