



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

**CRM-M-4888-2025 (O&M)
Date of decision: 18.03.2025**

Navi Sharma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Jasdev Singh Mehndiratta, Ms. Jyotnoor Kaur Sethi,
Mr. R.L.Lohan & Mr. Rahul Dhanda, Advocates
for the petitioner.

Mr. S.S.Chahal, AAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*) for grant of pre-arrest bail to the petitioner in FIR No.02 dated 05.01.2025 (P-1), under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) [Section 29 of the NDPS Act added later on], registered at Police Station Urban Estate, District Patiala.

2025:PHHC:036872



- (2) Allegations are that co-accused Amarinder Singh was found in possession of 100 grams of *Heroin* without any license and petitioner has been nominated on the basis of disclosure, made by aforesaid co-accused.
- (3) Contends that petitioner was granted interim protection by this Court, vide order dated 29.01.2025 and in pursuance thereof, he has already joined the investigation; hence, his custodial interrogation is not required.
- (4) The above factual position is not disputed by learned State Counsel, on instructions from the police official concerned and submits that as on today, custodial interrogation of the petitioner is not required.
- (5) Heard learned Counsel for the parties and perused the paper-book.
- (6) It transpires that petitioner was granted interim protection by this Court, vide order dated 29.01.2025 and the order reads as under:-

“Contends, inter alia, that petitioner has been nominated on the basis of disclosure made by co-accused, namely, Amarinder Singh @ Mani, from whom, alleged recovery of 100 grams Heroin (non-commercial) was effected.

Notice of motion.

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

Posted for 18.03.2025.

In the meanwhile, petitioner shall join investigation before the Investigating Officer, but he be not arrested till the next date of hearing.”

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(7) 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.

(8) 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 29.01.2025 is made absolute subject to the conditions as envisaged under Section 482 (2) of the BNSS.

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

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

(11) 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.

18th March, 2025
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>