IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

103

CRM-M-4319-2025
Decided on: 18.11.2025

SUKHWINDER SINGH @ GHUKA

……Petitioner

Versus

STATE OF PUNJAB

……Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Shefali, Advocate,
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

****

SANJAY VASHISTH, J.

1. Prayer in this petition is for grant of anticipatory bail to the petitioner in case FIR No.126 dated 22.11.2024 under Sections 105, 61(2) of the Bharatiya Nyaya Sanhita, 2023 registered at Police Station Joga, District Mansa.

2. On 27.01.2025, following order was passed:-

> *"Prayer in this petition is for grant of anticipatory bail to the petitioner in case FIR No.126 dated 22.11.2024 under Sections 105, 61(2) of the Bharatiya Nyaya Sanhita, 2023 registered at Police Station Joga, District Mansa.*
>
> *Learned counsel for the petitioner inter alia contends that the deceased was found lying on the outskirts of the village along with an empty syringe besides him which had been allegedly used to administer drugs to him. It has been argued by the learned counsel that there is no eye witness to the occurrence in question and only because the petitioner is involved in a case under the NDPS Act, he along with five other persons have been nominated as accused on the allegations that it was the petitioner who after conniving with all the co-accused forcibly administered some intoxicant to him. It has also been asserted that as per the Post Mortem Report of the*

LAVISHA
2025.11.18 17:59
I attest to the accuracy and
integrity of this document
PHHC, Chandigarh

deceased also there were no physical injuries reflected on his person, hence, there was no question of the deceased being forcibly administered drugs.

Notice of motion.

On asking of the Court, Mr. H.S. Deol, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State and seeks time to get necessary instructions.

Adjourned to 05.05.2025.

Meanwhile, the petitioner is directed to join the investigation and appear before the investigating agency as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 482(2) of the BNSS."

3. Continuing his submissions, learned counsel for the petitioner contends that in compliance of the order dated 27.01.2025, passed by this Court, petitioner has joined the investigation, and has fully co-operated. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel on instructions from ASI Jarnail Singh, confirms the said averment made by counsel for the petitioner of joining the investigation on 14.11.2025 by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 27.01.2025, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

LAVISHA
2025.11.18 17:59
I attest to the accuracy and
integrity of this document
PHHC, Chandigarh

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.

7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

18.11.2025
Lavisha

Whether Speaking/Reasoned: **YES/~~NO~~**
Whether Reportable: **~~YES~~/NO**

LAVISHA
2025.11.18 17:59
I attest to the accuracy and
integrity of this document
PHHC, Chandigarh