

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-7797-2025
Decided on: 07.04.2025

Balvinder Singh @ Biri

Versus

.....Petitioner

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Gautam Kumar, Advocate for
Mr. Satnam Singh Gill, Advocate
for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

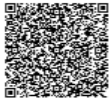
SANJAY VASHISTH, J.

1. 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 of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Balvinder Singh @ Biri	26	01.02.2025	18 of NDPS Act, 1985(Section 29 of NDPS Act was added later on)	City Pehowa	Kurukshetra

2. On 11.02.2025, following order was passed:-

“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 of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
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Learned counsel for the petitioner submits that:-

- i. Name of the petitioner was neither disclosed by the secret informant, nor it has appeared in the version of the FIR;*
- ii. Even the FIR has been registered prior to the alleged recovery of 120 grams of opium from the co-accused;*
- iii. The alleged disclosure statement, upon which, prosecution has built-up its case against the petitioner was recorded on the next day;*
- iv. Earlier petitioner was involved in two cases under the NDPS Act, but in one case he had been convicted in the year 2015 for a period of 5 years and in another case, he earned acquittal;*
- v. Petitioner has been involved in the present case only for the reason that police of the area was knowing him and after a long gap of 10 years, he has been involved for the first time on the basis of disclosure statement.*
- vi. Petitioner undertakes to join the investigation and also to cooperate with the earlier disposal of the trial in case, challan is submitted.*
- 3. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.*
- 4. Notice of motion.*
- 5. On advance notice, learned State counsel puts in appearance on behalf of the respondent - State, and seeks some time to respond to the submissions addressed by learned counsel opposite, after seeking instructions. And, in case of necessity, to file status report.*
- 6. Adjourned to 07.04.2025.*
- 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.”*

3. Learned counsel for the petitioner contends that in compliance of the order dated 11.02.2025, passed by this Court, the

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petitioner has joined the investigation, and has fully co-operated.

4. Learned State counsel on instructions from SI Surrender Kumar, confirms the said averment and submits that the custodial interrogation of the petitioner would not be required now for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since the petitioner has joined the investigation and custodial interrogation is no more required, present petition is allowed and interim order dated 11.02.2025, passed by this Court 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.

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

April 07, 2025
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Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**