



CRM-M-9540-2025

1

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

220

**CRM-M-9540-2025 (O&M)
Date of Decision: 03.04.2025**

Rakesh Kumar @ Lalli

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**Present:** None for the petitioner.

Mr. S.S.Chahal, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest
bail to the petitioner in FIR No.6 dated 08.01.2025 (P-1), under Section 22
of Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'NDPS
Act'), registered at Police Station City Hoshiarpur, District Hoshiarpur.

2. Allegations are that co-accused, namely, Karan Kumar was
apprehended along with one capsule of Pregabalin (Prega) and petitioner's
name surfaced in the disclosure of said co-accused.

3. Learned State counsel, on instructions from quarter concerned
submits that petitioner was granted interim bail by this Court, vide order
dated 19.02.2025 and in pursuance thereof, he has already joined
investigation; hence, his custodial interrogation is not required.

4. Heard learned counsel for the State and perused the paper-book.

5. It transpires that petitioner was granted interim bail by this
Court, vide order dated 19.02.2025 and the order reads as under:-

*“Contends, inter alia, that petitioner has been
nominated on the basis of disclosure made by co-
accused-Karan @ Kana regarding the recovery of one*



CRM-M-9540-2025

2

capsule of Pregabalin (Prega).

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 03.04.2025.

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

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 19.02.2025 is made absolute subject to the conditions as envisaged under Section 482(2) of 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.

03.04.2025

Rajeev (rvs)

(MAHABIR SINGH SINDHU)**JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No