



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

206

CRM-M-12533-2025

Date of Decision: July 31, 2025

Ankush

.....Petitioner(s)

Vs.

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MS. JUSTICE MANISHA BATRA

Present: Mr. Jashan Mehta, Advocate
for the petitioner (s).

Ms. Sakshi Bakshi, AAG, Punjab

MANISHA BATRA J. (ORAL)

1. The present petition has been filed by the petitioner for grant of anticipatory bail in case FIR No. 129, dated 11.07.2024, under Sections 22 of the NDPS Act, 1985 registered at Police Station City Rajpura, District Patiala.
2. Vide order dated 08.05.2025 passed by this Court, the petitioner was granted interim bail and was directed to join investigation.
3. Learned State counsel, on instructions from the Investigating Officer, has submitted that in compliance of order dated 08.05.2025, the petitioner has joined investigation on 23.05.2025. However, it is further submitted that since the co-accused has not been arrested, hence, custodial interrogation of the petitioner is required to know about his whereabouts and to get him arrested.



CRM-M-12533-2025

4. Non-apprehension of the co-accused cannot be considered to be a reason for denial of benefit of bail to the petitioner. Given the nature of the allegations as levelled against the petitioner, this Court is of the considered opinion that the pre-trial incarceration of the petitioner is not required. Accordingly, the present petition is allowed, and the order dated 08.05.2025, granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 (analogous to Section 438(2) of the Code of Criminal Procedure).

5. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case

(MANISHA BATRA)
JUDGE

July 31, 2025
sonia arora

Whether speaking/reasoned:	Yes / No
Whether reportable:	Yes / No