



CRM-M-19834-2025

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

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**CRM-M-19834-2025 (O&M)
Date of Decision: 26.05.2025**

Akash

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**Present:** Mr. Sandeep Chopra, Advocate for the petitioner.

Ms. Manjot Kaur, 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.23 dated 12.03.2025 (P-1), under Sections 22 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), registered at Police Station Kotwali Nabha, District Patiala.

2. Allegations are that 100 grams of intoxicant powder was recovered from co-accused Makhan Singh @ Tidda and Lakhan Singh; whereas petitioner has been nominated on the disclosure made by above co-accused Makhan Singh.

3. Contends that petitioner was granted interim bail by this Court, vide order dated 09.04.2025 and in pursuance thereof, he has already joined investigation; hence, his custodial interrogation is not required.

4. The above factual position is not disputed by learned State Counsel, on instructions from quarter concerned and submits that his custodial interrogation is not required.



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5. Heard learned counsel for the parties and perused the paper-book.

6. It transpires that petitioner was granted interim bail by this Court, vide order dated 09.04.2025 and the order reads as under:-

“Contends, inter alia, that petitioner was not named in the FIR; rather nominated on the basis of disclosure made by co-accused-Makhan Singh, from whom recovery of 50 grams of Heroin (non-commercial) was allegedly recovered.

Notice of motion.

Mr. Kunwarbir Singh, learned AAG, Punjab accepts notice on behalf of the respondent; seeks time to have instructions and/or to file written response in the matter.

Posted for 26.05.2025.

In the meanwhile, 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 09.04.2025 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.



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Pending application(s), if any, shall also stand disposed off.

26.05.2025 (MAHABIR SINGH SINDHU)
Rajeev (rvs) **JUDGE**

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