



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

**CRM-M-24499-2024 (O&M)
Date of decision: 10.03.2025**

Vikramjeet Singh @ Vicky

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- None for the petitioner.

Ms. Manjot Kaur, AAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Second petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (*for short* 'Cr.P.C.') for grant of pre-arrest bail to the petitioner in FIR No.95 dated 03.09.2023 (P-1), under Section 21(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short* 'NDPS Act') [Section 29 of the NDPS Act added later on], registered at Police Station Thermal Bathinda, District Bathinda.

(2) Learned State Counsel, on instructions from ASI Ranjit Singh, submits that petitioner was granted interim protection by the Coordinate Bench, vide order dated 29.05.2024 and in pursuance thereof, he has already

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joined the investigation; hence, as on today, his custodial interrogation is not required.

(3) Heard learned State Counsel and perused the paper-book.

(4) It transpires that petitioner was granted interim protection by the Coordinate Bench, vide order dated 29.05.2024 and the order reads as under:-

“Apprehending his arrest in FIR No.95 dated 03.09.2023, registered for offences punishable under Section 21(c) of the NDPS Act, 1985 and Section 29 of the NDPS Act added later on, at Police Station Thermal Bathinda, District Bathinda, the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

Reply by way of affidavit of Saravjeet Singh Brar, PPS, SDP, City II, Bathinda has been filed on behalf of the respondent/State today in Court, which is taken on record. Copy supplied.

The case of the prosecution is that one Pawan @ Sukhi was arrested which led to recovery of 400 gram of heroin. Pawan @ Sukhi suffered a disclosure wherein he named Gurwinder Singh @ Sandhu Singh. Arrest of Gurwinder Singh @ Sandhu Singh further led to recovery of 20 gram of heroin. Gurwinder Singh @ Sandhu Singh further named Sandeep Singh @ Seepa and Sandeep Singh @ Seepa further suffered disclosure while in police custody naming the present petitioner. It is not disputed that there is no recovery effected from the petitioner in the present case. Though the antecedents of the petitioner are being referred to.

Adjourned to 27.08.2024.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting

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Officer/Investigating Officer. As and when called, the petitioner shall join the investigation. He shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C.”

(5) 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.

(6) 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 29.05.2024 is made absolute subject to the conditions as envisaged under Section 438 (2) Cr.P.C.

(7) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

(8) The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.

(9) 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.

10th March, 2025
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>