

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2025.PHHC.099808



(212)

CRM-M-22463-2025
Decided on : 05.08.2025

Harwinder Singh @ Rinka

.....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM : HON'BLE MR.JUSTICE SUMEET GOEL

Present: Mr. B.S. Bhalla, Advocate for the petitioner (s).

Mr. Jasjit Singh, DAG, Punjab.

Sumeet Goel (Oral):

1. Apprehending his arrest in FIR No.21 dated 03.03.2025 registered for offences punishable under Section 21(C), 27A of NDPS Act (Section 29 of NDPS Act added lateron) at Police Station Lopoke, District Amritsar; the petitioner has preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.
2. On 08.07.2025, the following order was passed:

“Reply has been filed by learned State counsel in Court today. The same be kept on record.

Learned counsel appearing for the petitioner, while reiterating the submissions made on behalf of the petitioner on 29.04.2025, has contended that the petitioner is innocent and has been falsely implicated in the present case. It is further submitted that the petitioner has no connection whatsoever with the alleged transaction and is not named in the FIR. The petitioner has been nominated as an accused on the basis of disclosure statement of co-accused Malkeet Singh from whom the 300 grams of heroin is purported to have been recovered & the petitioner is willing to join investigation and cooperate therein.

Adjourned to 5.8.2025.

The petitioner is directed to appear before the Investigating Officer on 14.7.2025 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

The presence of the Senior Superintendent of Police, Amritsar (Rural) as also the concerned Deputy Superintendent of Police is exempted.”

3. Learned State counsel (on instructions from Inspector Himanshu Bhagat) has submitted that the petitioner has joined investigation and his custodial interrogation is required for further effective investigation.

4. Keeping in view the factual milieu of the case in hand, especially the factum of the petitioner having joined investigation and he being arrayed as an accused on the basis of disclosure statement, this Court is inclined to confirm the order dated 08.07.2025, in light of the dicta of the judgment passed by this Court in **CRM-M-54032-2024 ‘Ashu Vs. State of Punjab’**.

5. Accordingly, the petition is allowed and the order dated 08.07.2025 granting interim anticipatory bail to the petitioner is hereby made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS.

6. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.
7. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS or upon showing any other sufficient cause.
8. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
9. Pending application(s), if any, shall also stand disposed off.

August 05, 2025
Naveen

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether Reportable :	Yes/No