



**CRM-M-23532-2025, CRM-M-26121-2025
& CRM-M-25677-2025**

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

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Date of decision: 01.09.2025

1. CRM-M-23532-2025

AKASH ALIAS MOTA ALIAS AKSH

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

2. CRM-M-26121-2025

VISHAL ALIAS LOCHA

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

3. CRM-M-25677-2025

MOHAN LAL ALIAS MOHNI AND ANOTHER

....Petitioners

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Bhavesh Aggarwal, Advocate
for the petitioners in CRM-M-23532-2025
and CRM-M-25677-2025.

Mr. Kartik Gandhi, Advocate
for the petitioners in CRM-M-26121-2025.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH. J.(Oral)

1. This order shall dispose of three petitions i.e. CRM-M-23532-2025
CRM-M-26121-2025 and CRM-M-25677-2025, as the same have emanated out of
the same occurrence.

2. Prayer in these petitions, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioners, who have been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
AKASH ALIAS MOTA ALIAS AKSH, VISHAL ALIAS LOCHA & MOHAN LAL ALIAS MOHNI AND ANOTHER	46	03.03.2025	105 of BNS (Section 304 IPC)	Jagraon	Ludhiana, Rural

2. In CRM-M-23532-2025, on 02.05.2025, following order was passed:-

1. Prayer in the present petition under Section 482 of BNSS, 2023, is for grant of pre-arrest bail to the petitioner in case FIR No.46 dated 03.03.2025, under Section 105 of BNS (Section 304 IPC) registered at Police Station City Jagraon, District Ludhiana, Rural.

2. As per the allegations in the FIR, the deceased, Balvir Singh @ Bablu, aged 25 years and son of the complainant Sarabjit Singh @ Raju, was undergoing treatment at a Rehabilitation Centre due to drug addiction. After being discharged from the Centre, the complainant's son came into contact with the accused persons, who were allegedly involved in drug trafficking. Thereafter, the accused named in the FIR—Akash @ Mota, Mohan Lal @ Mohni, Monu @ Gandhi, Vishal @ Lancha, Harpreet Singh @ Longa, among others—allegedly began supplying drugs to the complainant's son for consumption. On the day of the incident, the complainant discovered his son's dead body along with a syringe nearby. Consequently, it has been alleged that the petitioner and other accused persons were responsible for the deceased falling back into drug addiction, which ultimately led to his death due to a drug overdose.



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3. *Learned counsel for the petitioner submits that, even if the allegations are taken at face value, no offence under Section 304 IPC (now Section 105 of the Bharatiya Nyaya Sanhita) is made out. It is further argued that the responsibility for controlling one's habits lies solely with the individual, and in this case, it was only the complainant's son who could have exercised self-control over his drug consumption. Therefore, the petitioner cannot be held criminally liable for the deceased's alleged relapse into drug consumption, which ultimately led to his death. Moreover, there is no recovery of any contraband from the possession of the petitioner by the time of registration of FIR, thus, prays for grant of concession of anticipatory bail to the petitioner in the present case, as he is ready to join the investigation as and when called by the investigating agency.*

4. *Notice of motion. On advance notice, Mr. Luvinder Sofat, Sr. DAG, PUnjab, puts in appearance on behalf of the respondent – State and seeks time to file reply.*

5. *Adjourned to 24.07.2025. In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency.*

6. *In the event of his arrest, the petitioner shall be released on interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

7. *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possess. Otherwise, would submit an affidavit, disclosing the fact that he do not possess any passport.*

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

3. In CRM-M-26121-2025, on 14.05.2025, following order was passed:-

1. *Prayer in the present petition under Section 482 of BNSS, 2023, is for grant of pre-arrest bail to the petitioner, in case FIR No.46 dated 03.03.2025, under Section 105 of BNS (Section 304 IPC), registered at Police Station City Jagraon, District Ludhiana.*

2. *As per the allegations in the FIR, the deceased, Balvir Singh @ Bablu, aged 25 years and son of the complainant Sarabjit Singh @ Raju, was undergoing treatment at a Rehabilitation Centre due to drug addiction. After being discharged from the Centre, the complainant's son came into contact with the accused persons, who were allegedly involved in drug trafficking. Thereafter, the accused named in the FIR—Akash @ Mota, Mohan Lal @ Mohni, Monu @*



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Gandhi, Vishal @ Locha (petitioner herein), Harpreet Singh @ Longa, among others—allegedly began supplying drugs to the complainant's son for consumption. On the day of the incident, the complainant discovered his son's dead body along with a syringe nearby. Consequently, it has been alleged that the petitioner and other accused persons were responsible for the deceased falling back into drug addiction, which ultimately led to his death due to a drug overdose.

3. *Learned counsel for the petitioner submits that, even if the allegations are taken at face value, no offence under Section 304 IPC (now Section 105 of the Bharatiya Nyaya Sanhita) is made out. It is further argued that the responsibility for controlling one's habits lies solely with the individual, and in this case, it was only the complainant's son who could have exercised self-control over his drug consumption. Therefore, the petitioner cannot be held criminally liable for the deceased's alleged relapse into drug consumption, which ultimately led to his death.*

4. *Counsel for the petitioner also submits that co-accused namely Akash alias Mota alias Aksh, has already been granted concession of interim bail by this Court, vide order dated 02.05.2025, passed in CRM-M-23532-2025, and is listed for 24.07.2025.*

5. *Moreover, there is no recovery of any contraband from the possession of the petitioner by the time of registration of FIR, thus, prays for grant of concession of anticipatory bail to the petitioner in the present case, as he is ready to join the investigation as and when called by the investigating agency.*

6. *Notice of motion.*

On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State and seeks time to file reply.

7. *Adjourned to 24.07.2025.*

To be heard along with CRM-M-23532-2025.

8. *In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

9. *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possess.*

Otherwise, would submit an affidavit, disclosing the fact that he do not possess



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any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

4. In CRM-M-25677-2025, on 12.05.2025, following order was passed:-

“1. *Prayer in the present petition under Section 482 of BNSS, 2023, is for grant of pre-arrest bail to the petitioners, in case FIR No.46 dated 03.03.2025, under Section 105 of BNS (Section 304 IPC) registered at Police Station City Jagraon, District Ludhiana, Rural.*

2. *As per the allegations in the FIR, the deceased, Balvir Singh @ Bablu, aged 25 years and son of the complainant Sarabjit Singh @ Raju, was undergoing treatment at a Rehabilitation Centre due to drug addiction. After being discharged from the Centre, the complainant's son came into contact with the accused persons, who were allegedly involved in drug trafficking. Thereafter, the accused named in the FIR—Akash @ Mota, Mohan Lal @ Mohni, Monu @ Gandhi, Vishal @ Lancha, Harpreet Singh @ Longa, among others—allegedly began supplying drugs to the complainant's son for consumption. On the day of the incident, the complainant discovered his son's dead body along with a syringe nearby. Consequently, it has been alleged that the petitioners and other accused persons were responsible for the deceased falling back into drug addiction, which ultimately led to his death due to a drug overdose.* 3. *Learned counsel for the petitioners submits that, even if the allegations are taken at face value, no offence under Section 304 IPC (now Section 105 of the Bharatiya Nyaya Sanhita) is made out. It is further argued that the responsibility for controlling one's habits lies solely with the individual, and in this case, it was only the complainant's son who could have exercised self-control over his drug consumption. Therefore, the petitioners cannot be held criminally liable for the deceased's alleged relapse into drug consumption, which ultimately led to his death. Thus, prays for grant of concession of anticipatory bail to the petitioners in the present case, as they are ready to join the investigation as and when called by the investigating agency.*

4. *Counsel for the petitioners also submits that another co-accused, namely, Akash alias Mota alias Aksh, has already been granted granted concession of anticipatory bail by this Court, vide order dated 02.05.2025, passed in CRM-M-23532-2025.*

5. *Notice of motion.*

6. *On advance notice, Mr. Luvinder Sofat, Sr. DAG, Punjab, puts in*



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appearance on behalf of the respondent – State and seeks time to file reply.

7. *Adjourned to 24.07.2025.*

To be heard along with CRM-M-23532-2025.

8. *In the meanwhile, the petitioners are directed to join the investigation as and when required to do so by the Investigating Agency. In the event of their arrest, the petitioners shall be released on interim bail, subject to their furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioners shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

9. *Besides, it is directed that petitioners would hand over their passport to the Investigating Agency or to Court concerned, if they possess. Otherwise, would submit an affidavit, disclosing the fact that they do not possess any passport. It is also directed that before leaving country any time during trial, petitioners would seek prior permission of the Court.”*

5. Continuing his submissions, learned counsel for the petitioners contends that in compliance of the orders dated 02.05.2025, 14.05.2025 and 12.05.2025, passed by this Court, petitioners have joined the investigation, and have fully co-operated. Therefore, they prays for confirmation of the said interim anticipatory bail orders.

6. Learned State counsel on instructions from the official respondent confirms the said averment made by counsel for the petitioners of joining the investigation on 30.05.2025 by the petitioners, and submits that as of now, custodial interrogation of the petitioners are not required for the purpose of investigation.

7. Heard learned counsel for the parties.

8. Since, petitioners have already joined the investigation and custodial interrogation is no more required; ad-interim bail orders dated 02.05.2025, 14.05.2025 and 12.05.2025, passed by this Court is hereby made absolute. Accordingly, present petitions are allowed.



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However, petitioners shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

9. Accordingly, petitions stands disposed of.

10. A photocopy of this order be placed on the files of the connected cases.

**01.09.2025
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**(SANJAY VASHISTH)
JUDGE**

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