

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

2025.PHHC:127702



(210)

**CRM-M-30981-2025
Decided on : 16.09.2025**

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.....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM : HON'BLE MR.JUSTICE SUMEET GOEL

Present: Ms. Rashi Verma, Advocate for
Mr. Manu Loona, Advocates for the petitioner (s).

Mr. Jaypreet Singh, DAG, Punjab.

Sumeet Goel (Oral):

1. Apprehending his arrest in FIR No. 22 dated 03.04.2023 registered for offences punishable under Sections 21, 22, 29 of the NDPS Act (Sections 21 & 29 of NDPS Act added later on) at Police Station City Raikot, District Ludhiana; the petitioner has preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.

2. At the outset, learned counsel for the petitioner has brought to the notice of this Court that the contention recorded on her behalf in the order dated 07.07.2025, to the extent that the petitioner has no criminal antecedents, is incorrect. She has fairly submitted that the petitioner has brought forth his antecedents in paragraph No.16 of the petition.

3. On 07.07.2025, the following order was passed:

“Petitioner is seeking the concession of anticipatory bail in FIR No.22 dated 03.04.2023 under Sections 21, 22, 29 of The NDPS Act, registered at Police Station City Raikot, Ludhiana.

Learned counsel for the petitioner, inter alia, contends that it is a matter of record that the FIR in question was registered way back on 03.04.2023 after co-accused Satnam Singh alias Satta was intercepted by the police leading to a recovery of 1.5 grams of heroin along with 310 intoxicant tablets. It has been contended by the counsel that the petitioner has no previous criminal antecedents; the petitioner came to be nominated as an accused on the basis of a disclosure statement allegedly suffered by co-accused Satnam Singh alias Satta. It has been submitted that despite co-accused Satnam Singh alias Satta having made a disclosure statement soon after his arrest on 03.04.2023, the police had not even made any efforts to join the petitioner in the investigation or procure issue warrants of arrest. It was as recently as in February 2025, the police attempted to arrest the petitioner.

On being pointedly asked, learned counsel for the petitioner submits that neither any non-bailable warrants had been issued to secure the arrest of the petitioner nor any proceedings initiated under Section 82 of the Cr.P.C.

Notice of motion.

On the asking of the Court, Mr. H.S. Deol, Senior Deputy Advocate General, Punjab, accepts notice on behalf of the respondent.

Learned State counsel, on instructions, has not disputed the submissions made by the counsel opposite. It has also not been disputed that the petitioner has no previous criminal antecedents much less ever being booked under The NDPS Act.

Adjourned to 16.09.2025.

Meanwhile, the petitioner is directed to join the investigation and appear before the investigating agency as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 482(2) BNSS/438(2) Cr.P.C.”

4. Learned State counsel (on instructions) has submitted that the petitioner has joined investigation and he is not required for further custodial interrogation.

5. 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 07.07.2025, in light of the dicta of the judgment passed by this Court in ***CRM-M-54032-2024 'Ashu Vs. State of Punjab'*** and recent judgment of the Hon'ble Supreme Court passed in ***'Jugraj Singh Vs. State of Punjab'*** bearing ***Special Leave to Appeal (Crl.) No.9190/2025***.

6. Accordingly, the petition is allowed and the order dated 07.07.2025 granting anticipatory bail to the petitioner is hereby made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS.

7. 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.

8. 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.

9. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

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

16.09.2025
Naveen

(SUMEET GOEL)
JUDGE

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