



218 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32081-2025
Decided on: 10.12.2025

Mahan SinghPetitioner

Versus
State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. S.S.Sohi, Advocate
for the petitioner.

Mr. Vinay Malhotra, DAG, Punjab.

SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has 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
Mahan Singh, aged 26 years	39	10.04.2025	21, 61, 85 of NDPS Act (Sections 25, 27, 29 of NDPS Act added later on)	Kotbhai	Sri Muktsar Sahib

2. On 11.07.2025, following order was passed:-

“1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has 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
Mahan Singh, aged 26 years	39	10.04.2025	21, 61, 85 of NDPS Act (Sections 25, 27, 29 of NDPS Act added later on)	Kotbhai	Sri Muktsar Sahib

2. *Learned counsel for the petitioner, inter alia, contends that from the possession of the main accused, namely Suresh Kumar, recovery of 5 grams of heroin was effected, which falls within the category of small quantity under the NDPS Act. It is submitted that following the registration of the FIR and arrest of the said accused, his disclosure statement was recorded, in which name of the petitioner was mentioned as alleged supplier of the recovered heroin.*
3. *Further submits that, apart from this disclosure statement, there is no other material or corroborative evidence available with the prosecution, connecting the petitioner to the alleged offence. On the contrary, it is pointed out that the main accused, Suresh Kumar, is already involved in three other criminal cases, including one under the NDPS Act. Moreover, petitioner is ready to join the investigation and fully cooperate, if protected from arrest by this Court. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.*
4. *Notice of motion.*
5. *On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent State, and seeks some time to file status report in the matter.*
6. *Adjourned to 13.10.2025.*



7. *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 ad-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.).*

8. *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does 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. Learned counsel for the petitioner contends that in compliance of the order dated 11.07.2025, passed by this Court, petitioner has joined the investigation, and has fully co-operated. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel on instructions from ASI Jagdish Singh confirms the said averment made by counsel for the petitioner of joining the investigation on 15.07.2025 by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial



interrogation is no more required; ad-interim bail order dated 11.07.2025, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

However, petitioner 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.

7. Accordingly, petition stands disposed of.

10.12.2025
sonia

(SANJAY VASHISTH)
JUDGE

Whether Speaking/Reasoned: ~~YES/NO~~
Whether Reportable: ~~YES/NO~~