

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

201

CRM-M- 37364-2024(O&M)
Date of Decision: 04.04.2025

Jasvir Singh @ Kheera

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**Present:** Mr. S.S. Brar, Advocate for the petitioner.

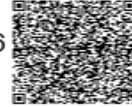
Mr. S. S. Chahal, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present 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. 89 dated 30.06.2024, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, (for short 'NDPS'), registered at Police Station Samana, District Patiala.

2. Allegations are that 15 strips of intoxicant tablets *tramadol* each containing 10 tablets i.e. 150 tablets were recovered from the petitioner.

3. Contends that petitioner was granted interim bail by this Court on 28.02.2025 and in pursuance thereof, he has already joined investigation; hence, his custodial interrogation is not required.



4. The above factual position is not disputed by learned State Counsel and submits that his custodial interrogation is not required.

5. Heard learned counsel for the parties and perused the paper-book.

6. It transpires that petitioner was granted interim bail by this Court on 28.02.2025 and the order reads as under:-

“Contends that it is unbelievable that petitioner could run away from the place of occurrence despite the fact that five police officials were present there.

Prima facie, the contention raised by learned State counsel for the petitioner seems to be convincing.

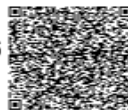
Posted for 04.04.2025.

In the meanwhile, petitioner shall join investigation before the Investigating Officer; but he be not arrested till the next date of hearing.

Senior Superintendent of Police, Patiala shall conduct an inquiry and if necessary take disciplinary action against the aforesaid police officials and submit a report by the next date of hearing.”

7. 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.

8. 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 28.02.2025 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.



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

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

11. 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.

12. It is further directed that report in terms of order dated 28.02.2025 be submitted by Senior Superintendent of Police, Patiala with learned Registrar General of this Court by 29.05.2025.

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

04.04.2025
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No