



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

208

CRM-M-37808-2025

Date of decision: 15.09.2025

BUTA RAM @ BOOTA SINGH

...PETITIONER

V/s

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Robindeep Singh Bhullar, Advocate for the petitioner.

Mr. Jaypreet Singh, DAG, Punjab.

SUMEET GOEL, J.

1. Present petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail to the petitioner in case bearing FIR No. 106 dated 13.05.2025, registered for the offences punishable under Sections 22 (29 added later on) of NDPS Act, at Police Station Guruharsahai, District Ferozepur.

2. On 18.07.2025, the following order was passed:-

“1. This is a petition for anticipatory bail filed under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023 in case FIR No.106 dated 13.05.2025 under Section 22(29 added later on) of NDPS Act registered at Police Station Guruharsahai District Ferozepur.

2. The case of the prosecution is that total 170 tablets of Pitik-100 SR Tapentadol Hydrochloride-100 mg was recovered from the co-accused Pala Singh and on his disclosure statement, the petitioner has been nominated in the present case.

3. Learned counsel for the petitioner submits that the petitioner has been implicated in the present case only on the basis of disclosure statement made by the co-accused. He further submits that the contraband containing salt Tapentadol Hydrochloride does not fall under 'The Schedule' of NDPS Act. The petitioner is ready to join investigation.

4. Notice of motion for 15.09.2025.



5. *On the asking of the Court Mr.Kamalpreet Bawa, DAG, Punjab accepts notice on behalf of the State and seek some time to file reply. He submits that FSL report is still awaited.*

6. *In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer to join investigation as and when required and in the event of his arrest, he shall be released on interim bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 482(2) of the BNSS [erstwhile Section 438(2) Cr.P.C.]:-*

i) that the petitioner shall make himself available for interrogation by a police officer as and when required;

ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;

iii) that the petitioner shall not leave India without the prior permission of the Court;

iv) such other condition as may be imposed under sub-section (3) of Section 480, as if the bail were granted under that section.”

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

4. In view of the stance of the State, 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 18.07.2025, 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**.

5. Accordingly, the petition is allowed and the order dated 18.07.2025 granting 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 of.

(SUMEET GOEL)
JUDGE

15.09.2025

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Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No