



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

110

CRM-M-41987-2025 (O&M)
DATE OF DECISION: 04.08.2025

SACHIN KUMAR CHHABRA**...PETITIONER****Versus****STATE THROUGH DRUGS INSPECTOR, MOGA-II****... RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. B.S. Bhalla, Advocate for the petitioner(s).
Mr. TPS Walia, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)**1. Prayer**

This petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail in Complaint No. COMA 22 of 13.06.2023 registered under Sections 18(a)(i) read with Rule 105 and Section 18-A which is punishable under Section 27(d) and Section 28 of Drugs and Cosmetics Act, 1940.

2. Contentions**On behalf of the petitioner**

Learned counsel for the petitioner submits that the prayer for anticipatory bail was declined by the lower Court since the petitioner was earlier declared proclaimed offender but since now the the order declaring the petitioner proclaimed offender has been set



aside by this Court vide order dated 10.03.2025 passed in CRM-M-12918-2025 (Annexure P-6). Therefore, he deserves the concession of anticipatory bail.

Learned counsel for the petitioner undertakes that the petitioner is ready and willing to join the investigation and cooperate with the investigating officer.

Notice of motion.

On behalf of the State

Learned State Counsel appearing on advance notice on instructions from Investigating officer vehemently opposes the prayer for grant of concession of anticipatory bail stating that the petitioner was earlier declared proclaimed offender, hence, does not deserve the concession of anticipatory bail.

3. **Analysis**

Be that as it may, this Court is of the considered view that once the order declaring the petitioner as a proclaimed offender has been set aside by this Court vide order dated 10.03.2025 passed in CRM-M-12918-2025 (Annexure P-6), there remains no justifiable ground to deny the petitioner the relief of anticipatory bail, wherein the petitioner has bona fide intentions and is willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency within the stipulated time period.

4. **Relief**

Hence, in view of the admitted set of circumstances before this Court, the petitioner is hereby directed to be released on anticipatory bail subject to him joining investigation and reporting to



the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS of which are reproduced below :-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

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

(ii) a condition that the person 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 from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous 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.’

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stand cancelled.

The petition in the aforesaid terms stand allowed.

(SANDEEP MOUDGIL)
JUDGE

04.08.2025
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Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*