

219/2

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50926-2025

Decided on: 26.11.2025

Pardeep Kumar alias Pardeep Singh

Versus

State of Punjab

.....Petitioner

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Kartik Sharma, Advocate for
Mr. Manjinder Singh, Advocate for the petitioner.

Mr. Bareen Pratap Singh, AAG Punjab

SANJAY VASHISTH, J. (ORAL)

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 FIR No.129 dated 19.08.2025, under Section 15 of NDPS Act, 1985 at PS Garhshankar, District Hoshiarpur.
2. On 11.09.2025, following order was passed:

“(i) 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:

<i>Name of Petitioner(s)</i>	<i>FIR No.</i>	<i>Date</i>	<i>Section(s)</i>	<i>Police Station</i>	<i>District</i>
<i>Pardeep Kumar @ Pardeep Singh, aged about 55 years</i>	<i>129</i>	<i>19.08.2025</i>	<i>15 of NDPS Act, 1985</i>	<i>Garhshankar</i>	<i>Hoshiarpur</i>

(ii) Learned counsel for the petitioner, inter alia, contends that in the present case, total recovery of 66 kilograms and 940 grams of poppy husk is alleged to



have been effected from the house of the petitioner. It is submitted that the said recovery was shown to have been made in the absence of the petitioner, when the house was opened, and the contraband was found tied in three separate bags 1st bag containing 15 kilograms and 440 grams, second bag containing 24 kilograms and 320 grams, and third bag containing 27 kilograms and 180 grams.

(iii) Learned counsel for the petitioner submits that before conducting the alleged raid, police had received secret information; however, despite this, no compliance was made with the mandatory provisions of Section 42 of the NDPS Act. It is argued that the said requirement was deliberately ignored, and in collusion with certain villagers who are political opponents of the petitioner, police proceeded with the raid and falsely implicated the petitioner by showing a planted recovery.

(iv) It is further submitted that petitioner is 55 years of age and has clean antecedents, with no previous involvement in any offence under the NDPS Act. It is urged that present case has been foisted upon the petitioner purely due to local village politics and rivalry.

Additionally, counsel for the petitioner points out that co- accused Jaswinder Singh has already been granted the concession of interim anticipatory bail by this Court, vide order dated 02.09.2025 passed in CRM-M-48914-2025, which is now listed for hearing on 26.11.2025.

Lastly, it is submitted that petitioner is ready and willing to join the investigation and cooperate with the authorities, provided he is granted protection from arrest by this Court. Therefore, counsel prays for grant of anticipatory bail to the petitioner in the present case.

(v) Notice of motion.

(vi) 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.

(vii) Adjourned to 26.11.2025.

To be heard along with CRM-M-48914-2025.

(viii) 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.).

(ix) 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.



CRM-M-50926-2025

3

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.”

3. Continuing his submissions, learned counsel for the petitioner contends that in compliance to the order dated 11.09.2025 passed by this Court, petitioner has joined the investigation on 12.10.2025.

4. Learned State counsel on instructions, confirms the said averment made by counsel for the petitioner of joining the investigation on 12.10.2025 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 11.09.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

The 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.

However, present order would be subject to the submission of his passport to the Investigating Officer or to Court concerned, if he/she possesses, within a period of one week from today. Otherwise, he/she would submit an affidavit, disclosing the fact that he/she does not possess any passport.

It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

(SANJAY VASHISTH)
JUDGE

26.11.2025

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