



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

CRM-M-53664-2024 (O&M)
Decided on : 03.04.2025

Raja

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Raghav Chadha, Advocate
for the petitioner(s).

Mr. Amandeep Singh, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. In the present petition, on 25.10.2024, following order was passed by the coordinate Bench of this Court:-

“ The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No. 107 dated 10.10.2024, Police Station Shri Hargobindpur, District Gurdaspur, under Sections 21, 27-A, 29 of NDPS Act.

As per the case of prosecution, co-accused Harinder Singh was apprehended by the police on 10.10.2024. When said Harinder Singh was being apprehended while going on a motorcycle, he had thrown a polythene bag upon noticing the police party, the search of which led to recovery of 5 grams of 'Heroin' apart from drug money amounting to Rs.86,600/-. It is further the case of prosecution that upon being quizzed, aforesaid Harinder Singh disclosed that he had procured the contraband from Raja (petitioner).

Learned counsel for the petitioner submits that he has falsely been implicated in the present case on the basis of a statement made by co-accused Harinder Singh the admissibility and veracity of which would be debatable. It has been submitted that admittedly the petitioner was never present at the spot when recovery was effected from co-accused. It has also been submitted that the contraband allegedly recovered in any case would fall in the category of non-commercial



quantity.

Notice of motion for 12.03.2025.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

2. Learned counsel for the petitioner contends that in compliance of the order dated 25.10.2024, passed by the coordinate Bench of this Court, the petitioner has already joined the investigation and is ready to co-operate with investigation agency, as and when same is required again.

3. On the other hand, learned State counsel, also confirms the said statement of joining the investigation and thus, submits that the custodial interrogation of the petitioners is not required, at this stage, for the purpose of investigation.

4 Heard.

5. Since the petitioner has already joined the investigation and his custodial interrogation is not even asked for, present petition is **allowed** and the ad-interim order dated 25.10.2024 is hereby made absolute.

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.

6. 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.

7. **Accordingly, petition stands disposed of.**

**(SANJAY VASHISTH)
JUDGE**

April 03, 2025
J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*