



CRM-M-55512-2025

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

222

CRM-M-55512-2025
Decided on: 02.12.2025

Vinay Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Harmanjeet Singh Dhaliwal, Advocate for
Mr. Navraj Singh Mahal, Advocate
for the petitioner.
Mr. Sukhbir Singh, DAG 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.51 dated 24.07.2025, under Section 109 of BNS and Sections 21/61/85 of NDPS Act and Sections 25/54/59 of Arms Act, 1959 at PS Fattudhinga, District Kapurthala.

2. On 30.09.2025, 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:

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Vinay Kumar, aged about 35 years	51	24.07.2025	109 of BNS and Sections 21/61/85 of NDPS Act and Sections 25/54/59 of Arms Act,	Fattudhinga	Kapurthala



			1959		
--	--	--	------	--	--

(ii) *Learned counsel for the petitioner, inter alia, contends that petitioner has been falsely implicated in the present case, solely on the basis of the disclosure statements of co-accused Jagpreet Singh alias Lalla and Karanbir Singh alias Prince. It is submitted that no injury was caused to any police official, despite the allegations in the FIR regarding firing of gunshots at the police party, which are specifically attributed to the aforesaid co-accused. As per the FIR, it was co-accused Karanbir Singh alias Prince who was seated on the front passenger seat (conductor’s side) and from whose side, 110 grams of heroin was allegedly recovered from underneath the seat. Additionally, one country-made pistol, three live cartridges, and one magazine were allegedly recovered from the possession of co-accused Jagpreet Singh alias Lalla.*

(ii) *Further submits that petitioner’s name has been falsely implicated in the present case, allegedly due to his prior acquaintance with the police officials, as he has been named as an accused in two other criminal cases. It is further contended that there is no independent or direct evidence connecting the petitioner to the present offence, except of the vague disclosure statements made by the co-accused. Moreover, petitioner is willing to join the investigation and undertake full cooperation with the authorities, provided he is granted the protection of anticipatory bail by this Court. Thus, counsel prays for grant of anticipatory bail to the petitioner in the present case.*

(iv) *Notice of motion.*

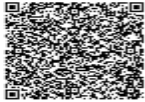
(v) *On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

(vi) *Adjourned to 02.12.2025.*

(vii) *Meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of her arrest, petitioner shall be released on ad-interim bail, subject to her 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.).*

(viii) *Besides, it is directed that petitioner would hand over her passport to the Investigating Agency or to Court concerned, if she possess. Otherwise, would submit an affidavit, disclosing the fact that she do not possess any passport.*

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



CRM-M-55512-2025

3. Learned counsel for the petitioner contends that in compliance to the order dated 30.09.2025 passed by this Court, the petitioner has joined the investigation on 13.10.2025.
4. Learned State counsel on instructions, confirms the said averment made by counsel for the petitioner of joining the investigation on 13.10.2025 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 30.09.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.
7. 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.
8. However, present order would be subject to the submission of his passport to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he would submit an affidavit, disclosing the fact that he does not possess any passport.
9. It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

(SANJAY VASHISTH)
JUDGE

02.12.2025
reena

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