



CRM-M-59180-2024

1

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

208

**CRM-M-59180-2024 (O&M)
Date of Decision: 12.05.2025**

Prince Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**Present:** None for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner in FIR No.28 dated 16.02.2024 (P-1), under Sections 18, 18(c) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), registered at Police Station Special Task Force, District STF Wing (SAS Nagar).

2. Allegations are that 66 kgs of opium were recovered from co-accused-Gurdev Singh as well as Tejinder Singh and petitioner was nominated on the basis of disclosure made by co-accused-Gurdev Singh.

3. There is no representation on behalf of petitioner.

4. Learned State counsel fairly submits that petitioner was granted interim bail by Co-ordinate Bench, vide order dated 27.11.2024 and in pursuance thereof, he has already joined the investigation; hence, his custodial interrogation is not required.

5. Heard learned State counsel and perused the paper-book.



CRM-M-59180-2024

2

6. It transpires that petitioner was granted interim bail by Co-ordinate Bench, vide order dated 27.11.2024 and which reads as under:-

“Petitioner Prince Kumar has filed petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in case FIR No. 28 dated 16.02.2024 under Section 18, 18-C, 29 of NDPS Act, registered at Police Station Special Tax Force, District STF Wing (S.A.S. Nagar) (Annexure P-1).

Learned counsel for petitioner argued that alleged recovery was effected from co-accused Gurdev Singh and Tejinder Singh while travelling in Scorpio vehicle. Name of present petitioner came into light in disclosure statement of co-accused. It is further pointed out that present petitioner had already sold vehicle to his cousin Gurdev Singh by way of affidavit, Annexure P-2 and receipt is Annexure P-3. He has also annexed copy of Registration Certificate of aforesaid vehicle, Annexure P-4, which is still in the name of present petitioner.

Notice of motion.

On asking of this Court, Mr. Kewal Singh, Addl. A.G. Punjab accepts notice on behalf of State. Learned State counsel opposed present petition by pointing out that in the case in hand there is heavy recovery and some money transaction was also there. On the instructions of ASI Paramjit Singh, STF/Ludhiana, it is clarified that present petitioner is not involved in any other FIR.

Considering the aforesaid factual position, let detailed status report be filed.

Adjourned to 11.12.2024, for filing status report.

In the meantime, arrest of present petitioner is stayed till next date of hearing, subject to joining of investigation.”

7. It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner has joined investigation and his custodial interrogation is not required.

8. In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioner. Consequently, present petition is allowed; interim order dated 27.11.2024 is made absolute subject to the conditions as envisaged under Section 482(2) of BNSS.

9. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.



CRM-M-59180-2024 **3**

- 10. The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.
- 11. It is also clarified that in case of any recurrence on the part of petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

12.05.2025
Rajeev (rvs)

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No