



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

207

CRM-M-61057-2024(O&M)
Date of Decision: 30.04.2025

Sajjan alias Sajan

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Ruhani Chadha, Advocate for the petitioner.

Mr. S. S. Chahal, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') for grant of pre-arrest bail to the petitioner in FIR No. 29 dated 11.04.2024, under Sections 21 of Narcotics Drugs and Psychotropic Substance Act, 1985 (for short 'NDPS Act') [offence under Section 29 of NDPS Act added later on], registered at Police Station City Dhuri, District Sangrur.

2. Allegations are that petitioner supplied 280 grams of heroin to other co-accused from whom recovery was effected.

3. Contends that petitioner was granted interim bail by the Co-ordinate Bench on 05.12.2024 and in pursuance thereof, he has already joined investigation; hence, his custodial interrogation is not required.



4. The above factual position is not disputed by learned State Counsel and submits that his custodial interrogation is not required.
5. Heard both sides and perused the paper-book.
6. It transpires that petitioner was granted interim bail by the Co-ordinate Bench on 05.12.2024 and the order reads as under:-

“The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.29, dated 11.4.2024 at Police Station City Dhuri, District Sangrur, under Section 21 of Narcotic Drugs and Psychotropic Substances Act, 1985, wherein offence under Section 29 of NDPS Act was added later on.

The FIR was lodged pursuant to receipt of secret information by the police to the effect that Vishal, Gurpreet @ Gopi, Ranbir Singh @ Nanu and Ashu indulged in sale of narcotics/heroin and that even on the given day i.e. on 11.4.2024 they were possessing huge quantity of drugs and were proceeding in a white coloured Swift Car bearing registration No.DL-5-C1512. It is further the case of prosecution that pursuant to receipt of said information the aforesaid car was intercepted and aforesaid 4 persons, who were sitting in the car, were found to be possessing 280 grams of ‘heroin’. It is further the case of prosecution that during the course of interrogation, the aforesaid 4 persons disclosed that they had purchased the said contraband from Sajjan @ Sajan (petitioner).

Learned counsel for the petitioner submits that the petitioner has been falsely



implicated in the present case solely on the basis of disclosure statement of co-accused, which would not carry any evidentiary value in the absence of any other connecting evidence.

Notice of motion for 30.4.2025.

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 Investigating Officer and shall also abide by the conditions as provided under Section 482 BNSS.”

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 05.12.2024 is made absolute subject to the conditions as envisaged under Section 482(2) BNSS.

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

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.

30.04.2025
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

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