



CRM-M-60322-2025

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

CRM-M-60322-2025

Date of Decision: 04.11.2025

ASHWANI ALIAS ASHWANI KUMAR ALIAS BHEEM

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present: Ms. Pratula Sethi, Advocate for the petitioner.

Mr. Eklavya Darshi, Deputy Advocate General, Punjab.

SURYA PARTAP SINGH, J. (ORAL)

For the commission of offence punishable under Sections 22 and 29 of the NDPS Act, the FIR No. 33 dated 26.02.2025 has been lodged in Police Station Model Town, Ludhiana.

2. In the above-mentioned case, the petitioner is apprehending arrest, and therefore, he has approached this Court for the benefit of anticipatory bail, by virtue of present petition under Section 482 of BNSS.

3. In nut-shell, the facts emerging from record are that the FIR of this case came into being that on the secret information, the police apprehended one Ramesh Kumar alias Bengali, from whom two strips of intoxicant tablets (10 tab. Each) of Escitalopram and Clonazepam Tablets 0.5 mg were recovered. On his disclosure statement, Ashwani alias Bheem



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(petitioner herein) was nominated as an accused in the present FIR.

4. Since advance notice has already been served upon the State, Mr. Eklavya Darshi, Deputy Advocate General, Punjab accepts notice on behalf of respondent-State, and waives service. The learned State Counsel filed reply to the petition. The same be taken on record.

5. Heard.

6. According to learned counsel for the petitioner, though the recovery of contraband is small quantity but there is an apprehension that the petitioner would be arrested, and therefore, he prays for grant of anticipatory bail.

7. *Per contra*, the learned State Counsel also opposes the petition for anticipatory bail on the ground that if benefit of anticipatory bail is accorded to the petitioner, he may misuse the same.

8. The record has been perused carefully.

9. A perusal of record shows that the offences are triable by the Court of Judicial Magistrate and that the maximum punishment prescribed for the abovementioned offence is imprisonment upto one year. The denial of permission of custodial interrogation of the petitioner to the investigating agency, will not cause any harm to the process of investigation in the present case. Therefore, without commenting anything on the merits of the case, it is hereby held that the present petition deserves to be allowed.

10. Accordingly, the petitioner is hereby held entitled for the benefit of anticipatory bail, subject to the following conditions:

- a. that the petitioner shall join the investigation as and when required by the investigating agency;
- b. that he will not left the country without prior permission of the Court;
- c. that he will not influence the witness or interfere in the process of collection of evidence by the investigating agency; and
- d. that he will abide by the conditions as specified under Section 482(2) of the BNSS.

11. In terms of abovementioned conditions, the present petition stands allowed, accordingly, with a direction that in the event of his arrest, the petitioner shall be released on interim anticipatory bail on furnishing bonds to the satisfaction of Arresting Officer.

12. Pending miscellaneous application(s), if any, shall also stand disposed of.

04.11.2025

Sima

(SURYA PARTAP SINGH)

JUDGE

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



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JUDGE