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

**CRM-M-65613-2024 (O&M)
Date of decision : 20.02.2025**

Rajandeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Pratula Sethi, Advocate for
Mr. G.S. Simble, Advocate, for the petitioner.

Ms. Navjot Kaur, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short*, '*the B.N.S.S.*') has been filed for grant of pre-arrest bail to the petitioner in FIR No.77 dated 30.11.2024, under Section 21 of Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short* '*NDPS Act*') (Section 29 NDPS Act added later on), registered at Police Station Qadian, Police District Batala, District Gurdaspur.

(2) Learned counsel contends that petitioner was granted interim bail by the Coordinate Bench, vide order dated 01.01.2025 and in pursuance thereof, he has already joined the investigation; hence, his custodial interrogation is not required.

(3) The above factual position is not disputed by learned State



submits that as on today, custodial interrogation of the petitioner is not required.

(4) Heard learned Counsel for the parties and perused the paper-book.

(5) It transpires that petitioner(s) was/were granted interim bail by the Coordinate Bench, vide order dated 01.01.2025 and the order reads as under:-

“Learned counsel for the petitioner inter alia contends that the petitioner has been nominated as an accused in the present case on the disclosure statement of co-accused/Mintu Masih from whom recovery of 15 grams of heroin was effected. He further submits that the petitioner does not have any other case under the NDPS Act and he is ready and willing to join the investigation as and when called for and to extend all cooperation to the Investigating Agency.

Notice of motion.

Mr. Balwinder Singh, AAG Punjab, accepts notice on behalf of respondent-State and prays for some time to complete his instructions and file reply, if so advised.

Reply, if any, be filed on or before the adjourned date with copy in advance to the learned counsel for the petitioner.

Adjourned to 20.02.2025.

In the meanwhile, the petitioner is directed to join investigation as and when so required by the Investigating Agency. In the event of the petitioner joining investigation, he shall be admitted to interim bail by the arresting officer/investigating officer on his furnishing of bail/surety bonds to the satisfaction of the arresting officer/investigating officer. The petitioner shall also abide by the conditions as specified under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) of 2023.”



- (6) 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.
- (7) 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 01.01.2025 is made absolute subject to the conditions as envisaged under Section 482(2) BNSS.
- (8) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
- (9) The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.
- (10) 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.

20.02.2025

d.gulati

(MAHABIR SINGH SINDHU)
JUDGE

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