

2026:PHHC:021178



208 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50498-2025
Date of Decision: 11.02.2026

Harjinder Singh ...Petitioner

Versus

State of Punjab ...Respondents

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present: Mr. Ashish Soi, Advocate
for the petitioner.

Mr. Gautam Thapar, Sr. DAG, Punjab.

AARADHNA SAWHNEY, J. (ORAL)

1. Petitioner, an accused, in case FIR No.136 dated 29.07.2025 registered against him for commission of offences punishable under Sections 21, 61 & 85 of the NDPS Act (Section 29 of NDPS added later on), at Police Station Machhiwara, District Khanna, has filed the present petition for grant of pre-arrest bail.

2. Status report dated 02.01.2026 by way of affidavit of Mr. Tarlochan Singh, PPS, Deputy Superintendent of Police, Samrala, Distt. Ludhiana, has already been filed. The same is taken on record. In para 5 thereof, factum of petitioner having joined the investigation has been mentioned. Learned State counsel, on instructions from ASI, Sukhdeep Singh, No.212, Khanna, states that the petitioner is not needed for any further investigation.

3. On 09.09.2025, following order was passed by this Court:-

“Petitioner, an accused, in case FIR No.136 dated 29.07.2025 registered against him for commission of offences punishable under Sections 21, 61 & 85 of the NDPS Act (Section 29 of NDPS added later on), at Police Station Machhiwara, District Khanna, has filed the present petition for grant of pre-arrest bail.

Learned counsel submits that petitioner was not named in the FIR. The name of the petitioner cropped up in the disclosure statement of Sahibjot Singh, who was arrested at the spot, keeping in his illegal possession of 6.90 grams of contraband (heroin) (marginally above the small quantity). Learned counsel submits that said disclosure statement, in the absence of recovery of any other incriminating material, is not admissible in evidence. Learned counsel submits that petitioner is a young boy of about 22 years of age, whose past antecedents are quite clean. Learned counsel submits that petitioner is ready and willing to join the investigation as and when called for by the Investigating Officer.

Notice of motion.

Mr. Kamalpreet Bawa, DAG Punjab, accepts notice on behalf of State of Punjab and seeks time to file detailed status report.

Adjourned to 16.10.2025.

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

4. Keeping in view the fact that petitioner has joined the investigation, interim bail granted vide order dated 09.09.2025 is hereby confirmed, subject to conditions as envisaged under Section 482(2) BNSS.

Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

- 5. The petition stands allowed.
- 6. Pending application, if any, also stands disposed of.

11.02.2026
Parveen kumar

(AARADHNA SAWHNEY)
JUDGE

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