



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

101

CRM-M-60338-2025
Decided on: 07.03.2026

YADWINDER SINGH BAJWA @ YADU

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Vini Mahajan, Advocate,
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Yadwinder Singh Bajwa @ Yadu, aged about 37 years	108	29.09.2025	127(4) of BNS	City Zira	Ferozepur

2. On 06.11.2025, following order was passed:-

“2. As per the allegations, acting on secret information, a raid was conducted on 14.09.2025 by a team comprising DSP Zira, Naib Tehsildar, Deputy Medical Commissioner Ferozepur, District Social Welfare Officer Ferozepur, SHO Zira, and representatives of an NGO. During the raid, it was found that a De-addiction Centre was being operated in an unauthorized manner without obtaining a valid



licence from the competent authority. Neither, the owner nor any staff member was present at the time of the raid, and total 45 patients were found admitted in the Centre without any medical facilities. Subsequently, on the directions of the Deputy Commissioner, Ferozepur, present case was registered against the petitioner.

3. *Learned counsel for the petitioner submits that during raid, files pertaining to 26 patients were recovered from the premises, which casts serious doubt on the claim that no staff or responsible person was present at the Centre. It is further contended that merely on the basis of these allegations, petitioner cannot be treated as a criminal, nor running of the said Centre can be construed as a punishable offence under law.*

4. *Additionally, counsel argues that the offence alleged against the petitioner now pertains to wrongful confinement, which, under the earlier law, was classified as a bailable offence. However, with the enforcement of the new statute, i.e. Bharatiya Nyaya Sanhita (BNS), 2023, the same has been reclassified as a non-bailable offence.*

It is also argued that petitioner is ready to join investigation and fully co-operate with the investigating agency, if protected from arrest.

5. *Notice of motion.*

6. *On advance notice, Mr. Neeraj Madaan, learned Senior Deputy Advocate General, Punjab, appears on behalf of the respondent–State and, on instructions from HC Gurlal Singh, informs the Court that patients who were earlier admitted in the said De-addiction Centre have now been shifted and admitted to the Government Hospital.*

7. *At this stage, learned counsel for the petitioner submits that since all the patients have now been admitted to the Government Hospital, as stated by learned State counsel, and files of 26 patients are already in possession of the investigating officer, allegations against the petitioner are essentially documentary in nature and are required to be established through proper evidence during the course of investigation. Thus, prays for grant of anticipatory bail to the petitioner in the present case.*

8. *Adjourned to 22.01.2026.*

9. *Let a status report be filed by learned State counsel, clarifying the legal and regulatory framework governing the operation of de-addiction centres. Learned State counsel shall apprise the Court on the next date of hearing regarding the procedure*



through which an individual or an organization may lawfully establish and operate a de-addiction centre, including the requirement of any prior permission or licence from the competent authority, as well as the legal consequences of running such a centre in violation of the prescribed norms or directions.

10. 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 abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

11. Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.”

3. Continuing his submissions, learned counsel for the petitioner contends that in compliance of the order dated 06.11.2025, passed by this Court, petitioner has joined the investigation, and has fully co-operated. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. On the other hand, learned State counsel submits that in compliance to the order dated 06.11.2025, status report dated 12.01.2026 has already been filed, which is appended with the present petition.

He further refers to paragraph No.10 of the status report, and confirms the averment made by counsel for the petitioner of joining the investigation on 14.11.2025 by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.



CRM-M-60338-2025

4

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 06.11.2025, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

7. Accordingly, petition stands disposed of.

However, present order would be subject to the submission of passport of the petitioner to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he would submit an affidavit, disclosing the fact that he does not possess any passport.

It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

(SANJAY VASHISTH)
JUDGE

07.03.2026

Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO