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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-61772-2025
Decided on: 10.03.2026

HARBANS SINGH
.....Petitioner
Versus
STATE OF PUNJAB
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Srishti Shukla, 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
Harbans Singh, aged about 37 years	129	30.08.2025	337, 339, 340, 61(2) of BNS, 2023	Cantt Ferozepur	Ferozepur

2. On 04.11.2025, following order was passed:-

“2. Learned counsel for the petitioner, *inter alia*, contends that FIR No.1 dated 01.01.2025 under Section 21 of the NDPS Act, Police Station STF, STF Wing, Mohali, was registered against two accused persons, namely (1) Harnek Singh and (2) Sunil Singh @ Gurpreet Singh, son of Malook Singh, who were subsequently arrested. The said accused, Sunil Singh @ Gurpreet Singh, while filing his bail application,



claimed to be a juvenile by mentioning his date of birth as 04.04.2008 on the basis of self-declaration/affidavit verified by the petitioner, who was serving as a member of the Gram Panchayat. Upon verification, however, it was found that actual date of birth of the accused was 04.04.2003. Consequently, present FIR, which is under challenge in this case, was registered against the petitioner and his co-accused, including Mohinder Singh, Lambardar, and others.

3. *Counsel for the petitioner submits that petitioner, in his capacity as a member of the Gram Panchayat, had merely relied upon the statement of a co-villager, namely Malook Singh (father of the accused Sunil Singh @ Gurpreet Singh), as well as the signatures of other responsible persons of the village, such as Mohinder Singh, Lambardar.*

It is further argued that there was no mala fide intention or motive of unlawful gain on the part of the petitioner while verifying the self-declaration/affidavit in respect of the accused's date of birth. Counsel emphasizes that even though the date mentioned turned out to be incorrect, entire case of the prosecution rests upon documentary evidence, i.e. the said self-declaration/affidavit. Therefore, custodial interrogation of the petitioner would serve no meaningful purpose.

4. *Additionally, counsel for the petitioner submits that co-accused Mohinder Singh Lambardar has been granted the concession of interim anticipatory bail by the co-ordinate Bench of this Court, vide order dated 25.09.2025 passed in CRM-M-54198-2025 (Annexure P-2). Moreover, petitioner is ready to join the investigation and fully cooperate, if protected from arrest by this Court. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.*

5. *Notice of motion.*

6. *On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

7. *Adjourned to 22.01.2026.*

8. *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.).

9. 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 04.11.2025, 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 on instructions from ASI Salender Singh, confirms the said averment made by counsel for the petitioner of joining the investigation on 12.01.2026 by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

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 04.11.2025, 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.



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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

10.03.2026
Lavisha

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