



CRM-M-72826-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-72826-2025
Decided on: 17.03.2026

Partap Singh @ Gora FoujiPetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Joginder Pal Devgan, Advocate for the petitioner.

Mr. Vinay Malhotra, 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
Partap Singh alias Gora, aged 56 years	73	14.08.2025	21(b), 27, 29 (added later on) of NDPS Act	Sadar Malout	Sri Muktsar Sahib

2. On 23.12.2025, following order was passed:-

“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
Partap Singh alias Gora, aged 56 years	73	14.08.2025	21(b), 27, 29 (added later on) of NDPS Act	Sadar Malout	Sri Muktsar Sahib



2. *Learned counsel for the petitioner, inter alia, contends that as per the allegations in the FIR, during police patrolling, two of the accused, namely Gurpreet Singh and Harpal Singh, were apprehended and from their possession, 151 grams of heroin was allegedly recovered. After their arrest and registration of the FIR, disclosure statements of both the arrested accused were recorded on 15.08.2025, wherein it was alleged that the recovered heroin had been purchased by them from the petitioner.*

3. *Learned counsel for the petitioner submits that, apart from the aforesaid disclosure statements, there is no independent or corroborative material available with the prosecution to connect the petitioner with the alleged recovery. It is further submitted that petitioner is ready and willing to join the investigation and to fully cooperate with the investigating agency, provided he is protected from arrest by this Court. Thus, counsel prays for grant of concession of anticipatory bail to the petitioner in the present case.*

4. *Notice of motion.*

5. *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.*

6. *Adjourned to 17.03.2026.*

7. *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.).*

8. *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.*

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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 submits that in compliance with the order dated 23.12.2025 passed by this Court, petitioner has joined the investigation and has extended full cooperation. He, therefore, prays for confirmation of the interim anticipatory bail order.

4. Learned State counsel has filed status report by way of affidavit of Naveenpal Singh Lehal, PPS, Deputy Superintendent of Police, Sub Division Malout, District Sri Muktsar Sahib, in Court today. Same is taken on record. Registry is directed to tag the same at appropriate place with the paper-book.

Learned State counsel on instruction from HC Kushwant Singh, submits that in pursuance of the directions issued by this Court, petitioner has joined the investigation and as of now, his custodial interrogation is not required.

5. I have heard learned counsel for the parties and perused the paper-book.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 23.12.2025, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

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It is made clear that 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. However, it is clarified that in case the passport or an affidavit regarding non-possession of a passport, if he does not possess one, is not submitted to the Investigating Agency or the Court concerned within a period of two weeks from today, the present order shall be deemed to be inoperative and the Investigating Officer shall be at liberty to proceed with the arrest of the petitioner.

8. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

17.03.2026
Rashmi

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