



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

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1. **CRM-M-10342-2025**
Decided on : 28.04.2025

Saleem . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

2. **CRM-M-18477-2025**

Sanju . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Ram Bhati, Advocate for
Mr. Harpreet Singh Jakhal, Advocate
for the petitioner(s) (in CRM-M-10342-2025).

Mr. Abhaysher Singh, Advocate
for the petitioner(s) (in CRM-M-18477-2025).

Mr. V.K. Malhotra, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. This order shall dispose of CRM-M-10342-2025 and CRM-M-18477-2025, as both the petitions are interconnected and have arisen out of same FIR. However, the lead case is CRM-M-10342-2025.

2. Prayer in these petitions, filed under Section 482 of BNSS, 2023 (corresponding to Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner(s), who have been booked for having committed the offences punishable under Sections 21 and 29 of the NDPS Act, 1985, in a case arising out of FIR No.0001, dated 03.01.2025, registered at Police Station City Ferozepur, District Ferozepur.



3. While hearing both the petitions on 24.02.2025 and 03.04.2025, following orders were passed by this Court:-

“CRM-M-10342-2025

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
Saleem, aged about 30 years	1	03.01.2025	21 and 29 of NDPS Act	City Ferozepur	Ferozepur

2. Learned counsel for the petitioner, inter alia, contends that the FIR has been registered against two real brothers namely Rahul and Vishal @ Bhola, with the allegation that from the car in which they were present, recovery of 358 grams of heroin was effected. Name of the petitioner does not appear anywhere in the version of the FIR. However, subsequent to the registration of the FIR, by recording an alleged disclosure statement of the arrested co-accused, name of the petitioner was also involved.

3. Counsel for the petitioner further submits that earlier also, petitioner is involved in many other cases, but the prosecution has never succeeded in proving the allegations, and in all the cases, petitioner is on bail.

Thus, he submits that petitioner is falsely involved in the present case, and therefore, prays for grant of concession of anticipatory bail to the petitioner in the present case.

4. Notice of motion.

5. On advance notice, Mr. Amandeep Singh, 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 28.04.2025.

7. 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.).

8. Besides, the petitioner would submit/surrender his passport before the Arresting Officer and an undertaking on oath that in case of leaving the Country, he would seek prior permission from the Investigating Agency/concerned Court.

CRM-M-18477-2025



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
Sanju	01	03.01.2025	21/61/85 of NDPS Act (Section 29 of NDPS Act added later on vide report No.31 dated 07.01.2025)	City Feorzepur,	Ferozpur

2. Learned counsel for the petitioner, inter alia, contends that the FIR has been registered against two real brothers namely Rahul and Vishal @ Bhola, with the allegation that from the car in which they were present, recovery of 358 grams of heroin was effected. Name of the petitioner does not appear anywhere in the version of the FIR. However, subsequent to the registration of the FIR, name of the petitioner was nominated on the disclosure statement of the arrested co-accused.

3. Counsel for the petitioner further submits that earlier also, petitioner is involved in many other cases, but the prosecution has never succeeded in proving the allegations, and in all the cases, petitioner is on bail.

Thus, he submits that petitioner is falsely involved in the present case, and therefore, prays for grant of concession of anticipatory bail to the petitioner in the present case.

Counsel also points out that similiary situated co-accused, whose name also surfaced through a disclosure statement, has been granted the concession of interim anticipatory bail vide order dated 24.02.2025 passed by this Court in CRM-M-10342-2025, which is now pending for 28.04.2025.

4. Notice of motion.

5. On advance notice, Mr. Amandeep Singh, 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 28.04.2025.

7. 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.).

8. Besides, the petitioner would submit/surrender his passport before the Arresting Officer and an undertaking on oath that in case of leaving the Country, he would seek prior permission from the Investigating Agency/concerned Court.

To be heard along with CRM-M-10342-2025.”



4. Learned counsel for the petitioner(s) further contend that in compliance of the orders dated 24.02.2025 and 03.04.2025, respectively, passed by this Court, the petitioner(s) have already joined the investigation and are ready to co-operate with the investigating agency, as and when same is required again.

5. On the other hand, learned State counsel files two separate status reports dated 24.04.2025, in Court today, which are taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

Copies thereof have been handed over to the counsel for the petitioner(s).

6. Learned State Counsel, while referring to paragraph No. 5 of the status report, submits that although the petitioners have joined the investigation, but they are directly involved in the supply of contraband, and therefore, their custodial interrogation would be necessary to ascertain the truth.

Upon this, when questioned by this Court, the learned State Counsel could not point out any connecting evidence apart from the disclosure statement. Therefore, this Court does not find any substantial reason to subject the petitioners to custodial interrogation

7. Heard learned counsel for the parties.

8. Since the petitioners have already joined the investigation and their custodial interrogation is not even asked for, present petitions are **allowed** and the ad-interim orders dated 24.02.2025 and 03.04.2025, are hereby made absolute.

However, the petitioners shall continue to join the investigation



as and when required to do so and abide by all the conditions laid down under Section 482(2) of BNSS, 2023

9. Besides, it is directed that petitioners would hand over their passport to the Investigating Agency or to Court concerned, if they possess. Otherwise, would submit affidavits, disclosing the fact that they do not possess any passport.

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

10. Petitions stand **disposed of** accordingly.

Photocopy of this order be placed on the file of other connected case.

(SANJAY VASHISTH)
JUDGE

April 28, 2025

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No