



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

211

**CRM-M-6678-2025
Decided on : 03.04.2025**

Prabhjit Singh . . . Petitioner(s)

Versus

State of Haryana . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. D.S. Virk, Advocate
for the petitioner(s).

Ms. Mayuri Lakhanpal, DAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. In the present petition, on 05.02.2025, following order was passed by this Court:-

““ *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:-*

<i>Name & age of Petitioner (s)</i>	<i>FIR No.</i>	<i>Date</i>	<i>Section(s)</i>	<i>Police Station</i>	<i>District</i>
<i>Prabhjit Singh, aged about 20 years</i>	<i>10</i>	<i>13.01.2025</i>	<i>21-B/61/85 of the NDPS Act</i>	<i>Ding</i>	<i>Sirsa</i>

2. *Learned counsel for the petitioner, inter alia, contends that the present FIR has been registered after planting a false case against both the real brothers. From the petitioner's brother, recovery of 06.57 grams of heroin has been shown, which is little more than small quantity and non-commercial in nature.*

3. *There is no history against any of the brothers getting involved in any such activity in the past. Moreover, the story cooked up by the prosecution in itself seems to be improbable version, because the prosecution has projected that one brother has purchased the contraband from his another real brother, who were never found involved in any similar activity.*

Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

4. *Notice of motion.*

5. *On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts in appearance on behalf of the respondent – State, and seeks some time to respond to the submissions addressed by learned counsel opposite, by filing status report.*



6. *Adjourned to 03.04.2025.*

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.””*

2. Learned counsel for the petitioner contends that in compliance of the order dated 05.02.2025, passed by this Court, the petitioner has already joined the investigation and is ready to co-operate with investigation agency, as and when same is required again.

3. On the other hand, learned State counsel, also confirms the said statement of joining the investigation and thus, submits that the custodial interrogation of the petitioners is not required, at this stage, for the purpose of investigation.

Besides, learned State counsel also files status report dated 02.04.2025, in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioner.

4 Heard.

5. Since the petitioner has already joined the investigation and his custodial interrogation is not even asked for, present petition is **allowed** and the ad-interim order dated 05.02.2025 is hereby made absolute.

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.



6. 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.

7. **Accordingly, petition stands disposed of.**

**(SANJAY VASHISTH)
JUDGE**

April 03, 2025

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No