



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

214

**CRM-M- 20292-2025(O&M)
Date of Decision: 15.05.2025**

Arshdeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. G.S. Saini, Advocate for the petitioner.

Mr. T.P.S. Walia, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner in FIR No. 166 dated 05.11.2024, under Sections 21(c), 25, 29 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Special Task Force, District SAS Nagar.

2. Allegations are that petitioner has been nominated on the basis of disclosure made co-accused-Rachpal Singh from whom 400 grams heroin was effected.

3. Contends that petitioner was granted interim bail by this Court on 29.04.2025 and in pursuance thereof, he has already joined investigation; hence, his custodial interrogation is not required.



4. The above factual position is not disputed by learned State Counsel and on instructions from quarter concerned submits that his custodial interrogation is not required at this stage.

5. Heard learned counsel for the parties and perused the paper-book.

6. It transpires that petitioner was granted interim protection by this Court on 29.04.2025 and the order reads as under:-

“Contends, inter alia, that there is no recovery alleged against the petitioner; rather he was nominated on the basis of disclosure made by co-accused, namely, Rachpal Singh from whom alleged recovery of contraband i.e. 400 grams of heroin was effected.

Notice of motion.

Mr. T.P.S.Walia, learned AAG, Punjab, accepts notice on behalf of respondent.

Status report by way of affidavit dated 26.04.2025 of Mr. Ravisher Singh, PPS, Deputy Superintendent of Police, Anti Narcotics Task Force, Border Ranger, Amritsar on behalf of respondent has been filed and the same is taken on record. Copy supplied to the other side.

Registry to tag the same at appropriate place.

Posted for 15.05.2025.

In the meanwhile, petitioner shall join investigation before the Investigating Officer; but he be not arrested till the next date of hearing.”

7. It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner has joined investigation and as on today, his custodial interrogation is not required.



8. In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioner. Consequently, present petition is allowed; interim order dated 29.04.2025 is made absolute subject to the conditions as envisaged under Section 482(2) BNSS.

9. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

10. The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.

11. It is also clarified that in case of any recurrence on the part of petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

15.05.2025
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No