

2025:PHHC:128032



CRM-M-33159-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210

CRM-M-33159-2025
Decided on : 15.09.2025

SUKHJINDER SINGH

... PETITIONER

VS.

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Chandan Singh Rana, Advocate
for the petitioner.

Mr. Baren Pratap Singh, AAG, Punjab.

SANJAY VASHISTH, J. (Oral)

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 here-under:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Sukhjinder Singh, aged about 24 years	56	02.04.2025	21,25 of NDPS Act and Section 29 of NDPS Act (added later on)	Sadar Jagraon	Ludhiana Rural

2. On 23.06.2025, following order was passed:-



CRM-M-33159-2025

“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
Sukhjinder Singh, aged about 24 years	56	02.04.2025	21, 25 of NDPS Act and Section 29 of NDPS Act (added later on)	Sadar Jagraon	Ludhiana Rural

2. *As per allegations recovery of 30 grams of Heroin has been affected from the co-accused Simranpreet Singh and it is only on the basis of the disclosure statement that petitioner has also been involved as accused in the present case. He has not named in the secret information nor in the FIR. Nothing requires to be recovered from the possession of the petitioner as recovery has already been affected. Culpability of the petitioner cannot be established solely on the basis of the disclosure statement which is an inadmissible evidence in view of the law laid down by the Apex Court.*

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

3. *Notice of motion.*

4. *On advance notice, learned State counsel puts in appearance on behalf of the respondent – State, and seeks some time to respond to the submissions addressed by learned counsel opposite, after seeking instructions. And, in case of necessity, to file status report.*

5. *Adjourned to 15.09.2025.*

**CRM-M-33159-2025**

6. *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.).*

7. *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 23.06.2025, 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. Learned State counsel on instructions, confirms the said averment made by learned counsel for the petitioner of joining the investigation on 11.07.2025, 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.

2025.PHHC.128032



CRM-M-33159-2025

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 23.06.2025, 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.**

**(SANJAY VASHISTH)
JUDGE**

September 15, 2025
Poonam Sharma

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No