



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

210

**CRM-M-32999-2025  
Decided on : 08.09.2025**

Kulwant Singh . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

PRESENT: Mr. Vaibhav Sehgal, Advocate  
for the petitioner(s).

Mr. Manjinder S. Bhullar, DAG, Punjab.

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**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
Kulwant Singh	93	02.05.2025	15/61/85 of NDPS Act	Sidhwan Bet	Ludhiana

2. On 23.06.2025, 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
Kulwant Singh, aged about 52 years	93	02.05.2025	15/61/85 of NDPS Act	Sidhwan Bet	Ludhiana

*2. On secret information, a raid was conducted at the house of the petitioner, and thereon, 52 kilograms of ‘poppy husk’ was recovered. Wife of the petitioner was arrested on the spot, however, petitioner succeeded in absconding from the spot.*

*3. Counsel for the petitioner contends that recovery is though technically falls under the category of ‘intermediate quantity’, however, it cannot be confirmed as on day, whether the weighing process to weight the contraband*



*was proper or improper. There could be a marginal error in weighing process, and same would be material to the fate of the case, because, it is only 2 kilograms more than the maximum of the commercial quantity.*

4. *Further contended that petitioner is not an habitual offender, as he has never been convicted in similar kind of cases and a false recovery has been shown against him. Even the place from where recovery is effected, is open to all and is far away from the house of the petitioner.*

5. *Additionally, it is argued that petitioner is aged 52 years, and neither he nor his wife is ever found involved in any similar activity till date, except of the present case. In fact, couple has been victimised by the police by registering the false case. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.*

6. *Notice of motion.*

7. *On advance notice, Mr. Manjinder Singh Bhullar, DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

8. *Adjourned to 08.09.2025.*

9. *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.).*

10. *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 29.06.2025, 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.

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.**  
Misc. application(s), if any, also stand disposed of.

**(SANJAY VASHISTH)**  
**JUDGE**

**September 08, 2025**

*J.Ram*

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