2025:PHHC:071947

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

104

CRM-M-29105-2025
Decided on : 26.05.2025

Resham Singh

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Vikas Gutpa, Advocate
for the petitioner(s).

Mr. Neeraj Madaan, Sr. 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 hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Resham Singh, aged about 25 years	21	12.02.2025	105, 3(5) of BNS, 20223	Sadar Tarn Taran	Tarn Taran

2. Counsel contends that deceased was a drug addict, therefore, no one can be blamed for his death. Even if allegations are taken to be correct that Resham Singh (petitioner herein) and Shamsher Singh had called Amritpal Singh (deceased) on 11.02.2025 at 3:30 p.m. to accompany them. It is not sufficient to attribute the allegation against the petitioner in regard to the death of Amrtipal Singh. Once it is admitted

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position in the FIR that deceased was earlier a drug addict and was also got admitted by the complainant family to a De-addiction Centre in Una City for a period of six months, petitioner or any other person cannot be blamed for the addiction qua drug, which is individual's personal addiction. There being no allegation of kidnapping, earlier enmity or causing of any injury, petitioner prays for grant of anticipatory bail, subject to grant protection from his arrest.

3. Notice of motion.

4. On advance notice, learned State counsel puts in appearance and argues that to find out the actual reason in the incident and the role of the petitioner in particular, his custodial interrogation is required.

However, despite of being asked again and again, learned State counsel could not point out any connecting material to rebut the contention of the petitioner's counsel, which has been addressed and recorded here-above.

5. Heard.

6. In view of the facts and circumstances of the present case, I do not find it is a case of custodial interrogation in any manner. The facts disclosed in the FIR are sufficient to arrive at a conclusion that the custodial interrogation of the petitioner, would not serve any purpose and therefore, prayer made in the instant petition is **allowed**.

7. Consequently, petitioner is directed to join the investigation within a period of two weeks from today, or as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on bail, subject to his furnishing bail bonds to the satisfaction of the

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Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023.

8. 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.

9. Petition stands **disposed of** accordingly.

(SANJAY VASHISTH)
JUDGE

May 26, 2025
J.Ram

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

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