



213

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

CRM-M-31699-2025 (O&M)

Date of decision: July 29, 2025

Lovely Kumar

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Ashok Kumar Khunger, Advocate for the petitioner.

Mr. Jasjit Singh, DAG Punjab.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of concession of anticipatory bail to the petitioner in case FIR No.0073 dated 17.05.2025, under Section 22 of the NDPS Act, 1985, Section 15 of the Indian Medical Council Act, 1956 and Section 223 of BNS, registered at Police Station City Fazilka, District Fazilka.

2. On 05.06.2025, the following order was passed:-

“The present petition has been filed under Section 482 of the BNSS, 2023 for grant of pre-arrest bail to the petitioner in case FIR No.0073 dated 17.05.2025 under Section 22 of Narcotic Drugs & Psychotropic Substances Act, 1985 and Section 15 of the Indian Medical Council Act, 1956 and Section 223 of BNS, 2023 registered at Police Station City Fazilka, District Fazilka.

Learned counsel appearing on behalf of the petitioner inter alia contends that the police has registered the FIR against the petitioner on the basis of a secret information on the allegation that the petitioner is a kingpin involved in supply of contraband. He contends that the petitioner is alleged to have run away from the spot and no recovery has been effected from him. He further submits that there is no other criminal case against the petitioner and he does not suffer from criminal antecedents. He contends that the petitioner is ready and willing to join the investigation as and when so required.



Notice of motion.

Mr. Karunesh Kaushal, AAG, Punjab appears and accept notice on behalf of respondent-State.

To come up on 29.07.2025, for further consideration.

In the meantime, the petitioner is directed to join investigation as and when required by the Investigating Agency. In the event of petitioner joining investigation, he shall be admitted to interim bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall also abide by the conditions as specified under Section 482 of the BNSS, 2023.”

3. Learned State counsel (on instructions from ASI Om Parkash) has stated that pursuant to the order dated 05.06.2025, the petitioner has indeed joined investigation, but his custodial interrogation is required for effective investigation.
4. Having heard learned counsel for the parties and upon perusal of the record, especially in view of the factum of the petitioner having joined investigation and no recovery to be made from him, and his having clean antecedents, the interim order dated 05.06.2025 passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS, 2023.
5. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.
6. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS, 2023 or upon showing any other sufficient cause.



CRM-M-31699-2025 (O&M)

3

7. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

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

(SUMEET GOEL)
JUDGE

July 29, 2025

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No