



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

CRM-M-48859-2024
Date of decision: 23.01.2025

Varun

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ruhani Chadha, Advocate for
Mr. Lakshay Bector, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') in case FIR No.105 dated 19.07.2024 under Sections 18, 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act'), registered at Police Station GRP, District Ludhiana.

2. On 30.09.2024, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel inter alia contends that a recovery of 1 kg of Opium was affected from co-accused Rajpal, who then allegedly suffered a disclosure statement nominating the petitioner as being one of the prospective buyers of the recovered contraband. Learned counsel submits that the petitioner has no previous criminal



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antecedents and it therefore, clearly hints towards his false implication in the present case. It has also been submitted that the disclosure statement, on the basis of which the petitioner has been arraigned as an accused, does not have much evidentiary value.”

3. Learned counsel for the petitioner submits that in compliance of order dated 30.09.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 30.09.2024, is made absolute subject to the conditions laid down in Section 482(2) of the BNSS. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

23.01.2025

Vinay

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No