



103

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

**CRM-M-31551-2025
DECIDED ON: 19.06.2025**

DEVA

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Harpreet S. Rakhra Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)**1. Prayer**

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.30 dated 28.02.2025, under Section 21 of NDPS Act and Section 111 of BNS, registered at Police Station City-2, Khanna, Ludhiana (Annexure P-1).

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“Statement of Bikramjit Singh son of Binder Ram r/o Dadheri, PS Mandi Gobindgarh, Distt. Fatehgarh Sahib, aged 27 years Mob. 83372- 15177. Stated that I am resident of above said address. I do private work, I am habitual to drugs That Ganga d/o Sikander r/o Meat □. Market, Khanna, City2, Khanna, Distt. Ludhiana aged 18 years and Kamini @ Chiri d/o DesRaj r/o Meat Market, Khanna, PS City-2, Khanna, District Ludhiana aged 18 years above said, from

them sometimes I had purchased intoxicating substance and I have spent lot of money., That above said both today also have got large quantity of heroine and are selling it. If now by going with me a raid is made, then Ganga and Chiri alias Kamini both can be apprehended alongwith Heroine, the information being truthful and reliable action be taken”

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case on the basis of disclosure statement of co-accused Kamini @ Chiri, from whom the recovery of alleged contraband i.e. 12 grams of heroin has been effected and the same is non-commercial in nature. Learned counsel for the petitioner asserts that similarly situated co-accused Asha Rani has already been granted the concession of anticipatory bail vide order dated 08.04.2025 (Annexure P-2) passed in CRM-M-19635-2025. He undertakes on behalf of the petitioner that he is ready and willing to join the investigation.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Sandeep Singh, AAG Punjab, accepts notice on behalf of respondent/State.

Status report filed by way of an affidavit of Amritpal Singh Bhaati PPS, Deputy Superintendent of Police, Police District Khanna, is taken on record.

He prays for dismissal of the present petition stating that the petitioner was nominated on the basis of disclosure statement of co-accused Kamini @ Chiri, but he does not controvert the fact that the petitioner is at par with the co-accused Asha Rani, who has already been granted the concession of bail.

4. **Analysis**

Be that as it may, having given a considerable thought to the submissions made hereinabove especially the facts that recovery of contraband i.e., 12 grams of heroin is non-commercial in nature; similarly situated co-accused Asha Rani has already been granted the concession of anticipatory bail by this Court vide order dated 08.04.2025 (Annexure P-2) and except disclosure no incriminating material is put forth by the prosecution to connect the petitioner with the alleged offence, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

5. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under subsection (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.'

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

19.06.2025

Meenu

Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No