



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

206

CRM-M-34613-2026

NARESH KUMAR

...PETITIONER

V/s

STATE OF HARYANA

...RESPONDENT

Date of decision: 20.07.2026

Date of uploading:20.07.2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Dheeraj Narula, Advocate for the petitioner.

Ms. Priyanka Sadar, Senior DAG, Haryana.

SUMEET GOEL, J.

1. On 25.06.2026, the following order was passed:-

"1. Through the instant petition, as instituted under Section 482 of the B.N.S.S., 2023, the petitioner seeks the concession of anticipatory bail in FIR No.189 dated 06.06.2026, registered under Section 17(b) of the N.D.P.S. Act, 1985, at P.S. Ellenabad, District Sirsa.

2. Learned counsel for the petitioner submits that the petitioner has no concern whatsoever with the alleged recovery of 353 grams of opium, which has been effected from co-accused Ramesh Kumar. It is submitted that the name of the petitioner surfaced for the first time ever only in the disclosure statement suffered by his co-accused, whereupon, he has been arrayed as an accused in the instant FIR. He contests the evidentiary vigor of the said disclosure statement, on the ground that, the same was suffered by the co-accused while being in police custody. It is further submitted that except the disclosure statement, there is no other cogent evidence on record to connect the petitioner with the alleged crime. Moreover, when the allegedly recovered opium falls in the category of "non-commercial quantity", the statutory bar as engrafted in Section 37 of the N.D.P.S. Act, 1985, is not applicable in the present case. It is also submitted that the petitioner is not involved in any other criminal case.



3. Notice of motion for 20.07.2026.

4. Mr. Kapil Bansal, D.A.G., Haryana, accepts notice on behalf of respondent-State of Haryana.

5. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 482(2) of the B.N.S.S., 2023.”

2. Learned State counsel (on instructions) has submitted that the petitioner has joined investigation and he is not required for further custodial interrogation.

3. In view of the stance of the State, especially the factum of the petitioner having joined investigation and he being arrayed as an accused on the basis of disclosure statement, this Court is inclined to confirm the order dated 25.06.2026, in light of the dicta of the judgment passed by this Court in **CRM-M-54032-2024 ‘Ashu Vs. State of Punjab’** and recent judgment of the Hon’ble Supreme Court passed in **‘Jugraj Singh Vs. State of Punjab’** bearing **Special Leave to Appeal (Crl.) No.9190/2025**.

4. Accordingly, the petition is allowed and the order dated 25.06.2026 granting anticipatory bail to the petitioner is hereby made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS.

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 or upon showing any other sufficient cause.
- 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

20.07.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No