



CRM-M-46216-20241

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-46216-2024

Date of decision : October 28, 2024

Balwinder Singh

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Kuldeep Singh Siwatch, Advocate, for the petitioner
Mr. Bhupender Singh, DAG, Haryana

KULDEEP TIWARI,J. (ORAL)

1. On 17.9.2024, this Court had passed the hereinafter extracted order, upon the instant petition:-

- “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 case FIR No.211 dated 19.08.2024, under Sections 20(b), 27A (Act No.61) of the N.D.P.S. Act, 1985, registered at P.S. Sadar Ratia, District Fatehabad.*
- 2. The learned counsel for the petitioner submits that, the only piece of evidence, which constitutes the bedrock for the investigating agency to arrest the petitioner, is the disclosure statement of his co- accused Akko, from whom 01 kg 116 grams of Ganja was recovered. Except the disclosure statement, there is no other cogent*



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evidence on record to connect the petitioner with the alleged crime. Moreover, the allegedly recovered contraband falls within “non commercial quantity”.

3. Lastly, the learned counsel for the petitioner submits that, the petitioner is not involved in any other similar offence.

4. Notice of motion for 28.10.2024.

5. Mr. Bhupender Singh, D.A.G., Haryana, accepts notice on behalf of respondent-State of Haryana.

6. 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.”

2. Today, the learned State counsel has, on instructions imparted to him by the official concerned, stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined investigation and he is no longer required for custodial interrogation.

3. In view of the above, the hereinabove extracted interim order dated 17.9.2024, is hereby made absolute, subject to the hereinafter extracted conditions:-

“(i) the petitioner(s) shall not commit an offence similar to the present offence;

(ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person



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*acquainted with the facts of the case;
(iii) the petitioner(s) shall make himself/herself
available for interrogation by a police officer as and
when required.”*

4. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) 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.
5. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

October 28, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned ? Yes/No
Whether Reportable ? Yes/No