



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-49351-2024
Date of decision: 17.12.2024

SUMANPETITIONER

Versus

STATE OF HARYANARESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Ms. Menka Gupta, Advocate for
Mr. Rahul Sidher, Advocate for the petitioner.

Mr. Surender Singh, AAG, Haryana.

SANJIV BERRY, J. (ORAL)

Mr. Shubham Singh, Assistant Commissioner of Police, has appeared in Court today and tendered his explanation by way of affidavit, which is accepted and taken on record.

2. By way of present petition filed under Section 482 of BNSS, 2023, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
174	14.05.2024	20 of NDPS Act, 1985	City Bahadurgarh, District Jhajjar, Haryana.

3. Learned counsel for the petitioner submits that in compliance to the orders dated 19.11.2024 and 29.11.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide orders dated 19.11.2024 and 29.11.2024.



CRM-M-49351-2024

2

4. Learned State counsel intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.

5. During the course of hearing on 19.11.2024, following order was passed:

“ Learned counsel for the petitioner inter alia contends that the petitioner is innocent and has been falsely implicated in this case on fictitious grounds claiming that she has been named by one Ankit, from whom the recovery of contraband had been effected and the petitioner has no concern with him.

Learned State counsel, on the basis of pairvi report has very fairly admitted that apart from the aforesaid disclosure statement there is nothing against the petitioner.

In these circumstances, without commenting on the merits of the case, the petitioner is hereby directed to join investigation within seven days from today and co-operate in the same. In the event of the arrest of the petitioner, she shall be released on interim bail on her furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. She shall also abide by conditions as envisaged under Section 482(2) BNSS.

List on 17.12.2024.

Before parting, the perusal of the status report dated 24.10.2024 submitted by the Assistant Commissioner of Police, Bahadurgarh, District Jhajjar would reveal that the facts mentioned therein have been exaggerated and certain aspects which are not legally admissible have been highlighted.

For such conduct on his part, the Assistant Commissioner of Police, Bahadurgarh, District Jhajjar, who had filed the status report dated 24.10.2024 by way of his

CRM-M-49351-2024 3

affidavit, is directed to remain present in Court along with his explanation on the adjourned date.

The Investigating Officer of the case is also directed to remain present in Court on the next date of hearing along with record.”

6. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the orders dated 19.11.2024 and 29.11.2024 passed by this Court, interim bail granted vide orders dated 19.11.2024 and 29.11.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; she will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.
7. The petition stands allowed.
8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

17.12.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |