



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-56955-2024
Date of decision: 18.12.2024

ASIF KHANPETITIONER

Versus

STATE OF HARYANARESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Nafeesh Ahmed, Advocate for the petitioner.

Mr. Surender Singh, AAG, Haryana.

SANJIV BERRY, J. (ORAL)

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
157	17.07.2024	22 (c) and 61 of NDPS Act.	Dhauj, District Faridabad, Haryana.

2. Learned counsel for the petitioner submits that in compliance to the order dated 28.11.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 28.11.2024.

3. Learned State counsel, on instructions from SI Rajbir Singh, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.

4. During the course of hearing on 28.11.2024, following order



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“2. *Heard.*

3. *After considering the submissions and perusing the record produced by ASI Jafruddin, present in Court, it transpires that the petitioner is not named in the FIR but his name has been surfaced in the disclosure statement of co-accused Kasid, who was apprehended by the police in the instant case and recovery of 40 injections (Buprenorphine Inj. Leegestic 2. ML, Batch No.DA 616, MFG dated March 2024, Exp. Date Feb, 2026, LIC No.G/1662, manufactured by Dial Pharmaceuticals G/S and G/6 Gallopes Industrial Parik, Chanchanwadi, Vasna Ta-Sanad District Ahmedabad) i.e. of intermediate quantity were recovered. It has been categorically stated by the Investigating Officer, present in Court, that except for the disclosure statement, there is nothing substantive against the present petitioner nor is there any other criminal case registered against him.*

4. *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 in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 482 (2) of BNSS, 2023.*

5. *List on 18.12.2024.”*

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 28.11.2024 passed by this Court, interim bail granted vide order dated 28.11.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the

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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; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.
7. 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

18.12.2024

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