



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

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**CRM-M No.191 of 2025
Date of decision: 30.01.2025**

VIKAS

.... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. S.S. Mor, Advocate for the petitioner.

Mr. Dharam Pal, A.A.G., Haryana.

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner in case FIR No. 69 dated 02.05.2024 registered under Sections 18(c), 61, 85 of NDPS Act (Section 29 of NDPS Act was added later on), at Police Station Bhiwani Civil Lines, District Bhiwani.

2. Vide order dated 09.01.2025, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 09.01.2025, passed by this Court, reads as under:

“Apprehending his arrest in FIR No. 69 dated 02.05.2024 registered for offences punishable under Sections 18(c), 61, 85 of NDPS Act and Section 29 was added later on at Police Station Bhiwani Civil Lines, District Bhiwani; the petitioner has preferred this petition under Section 482 of BNSS seeking pre-arrest bail.

Inter-alia contends that the petitioner is sought to be implicated into the FIR in question on the basis of disclosure statement made by



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coaccused from whom the alleged contraband (150 gms of opium) is stated to have been recovered & the petitioner is willing to join investigation and cooperate therein. In order to buttress his arguments, learned counsel for the petitioner has relied upon the dicta of the judgments of the Hon'ble Supreme Court in 'Vijay Singh versus The State of Haryana' bearing Special Leave to Appeal (Crl.) No(s).1266/2023', 'State by (NCB) Bengaluru vs. Pallulabid Ahmad Arimutta & Anr' 2022(1) RCR (Criminal) 762, 'Tofan Singh vs. State of Tamil Nadu, AIR 2020 Supreme Court 5592 and 'Smt. Najmunisha, Abdul Hamid Chandmiya @ Ladoo Bapu vs. State of Gujrat, Narcotics Control Bureau' 2024 INSC 290.

Notice of motion.

On asking of the Court, Ms. Ankita Ahuja, AAG, Haryana appears and accepts notice on behalf of the respondent-State. Learned State counsel is at liberty to file a response/status report in the matter.

Adjourned to 30.01.2025.

The petitioner is directed to appear before the Investigating Officer on 13.01.2025 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of BNSS, 2023."

3. Status report dated 21.01.2025 filed on behalf of respondent-State be tagged at appropriate place.
4. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 13.01.2025 and he is not required for custodial interrogation.
5. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 09.01.2025, granting interim bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

30.01.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable : Yes/No