

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1166-2025
Date of Decision: 06.03.2025

PARDEEP....Petitioner(s)

VERSUS

STATE OF HARYANA....Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Manpreet Ghuman, Advocate
for the petitioner (through video conferencing).

Ms. Mayuri Lakhanpal, DAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. Prayer in this petition, filed under Section 438 Cr.P.C., is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station
Pardeep	330	23.11.2024	18 of NDPS Act	Madlauda, Panipat District

2. On 04.01.2025, following order was passed:-

- “1. Present petition has been filed by the petitioner namely Pardeep, aged about 29 years, for grant of anticipatory bail, in case bearing FIR No.330, dated 23.11.2024, under Section 18 of the NDPS Act, registered at Police Station Madlauda, District Panipat.

2. Counsel for the petitioner submits that commercial quantity of the contraband has not been recovered from the co-accused namely Balwan and Sanjay @ Chhotiya Pandit, i.e. 93 grams of



opium. Subsequently, it is on the basis of disclosure statement of the co-accused Sanjay @ Chhotiya, name of the petitioner emerges.

3. Counsel for the petitioner further submits that had the allegations against the petitioner been true, his name could have been disclosed by the accused person(s) at the time of recovery or effecting their arrest. Prosecution has developed its case for the purpose of enhancing the number of accused. Thus, allegations are claimed to be false.

4. Notice of motion.

5. On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts an appearance on behalf of the respondent/State.

6. List again on 06.03.2025, to enable learned State counsel to file status report in the matter.

7. In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 482(2) of the BNSS, 2023.

8. Besides, petitioner would submit/surrender his passport before the Arresting Officer and an undertaking on oath that in case of leaving the country, he would seek prior permission from the Investigating Agency/concerned Court.”

3. Status report dated 04.03.2025, in the shape of affidavit of Rajbir Singh, HPS, Deputy Superintendent of Police, City, Panipat, has been filed on behalf of respondent – State, the same is taken on record. Registry to tag the same at appropriate place.

4. It is informed that though petitioner has joined investigation, however, he has not complied with clause 8 of the order dated 14.01.2025. Despite being asked by the investigating officer, neither passport has been surrendered nor an affidavit has been given by the petitioner to the effect that he does not possess any passport.

5. Counsel for the petitioner submits that petitioner does not possess any passport, however, an affidavit to that effect, as today observed by this Court, would be given to the investigating officer within a



6. Factum of already joining the investigation by the petitioner is confirmed by learned DAG Haryana, who submits that as of now, petitioner is not required for any interrogative purpose.
7. In view of the stand taken by the respective counsels, ad-interim order dated 14.01.2025, passed by this Court is hereby made absolute.
8. However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.
9. It is further made clear that if within one week, required affidavit mentioned in the today’s order is not given to the investigating officer, concession of anticipatory bail would be deemed cancelled.
- 10 It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.
11. **Disposed of.**

March 06, 2025
Sangeeta

(SANJAY VASHISTH)
JUDGE

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