



CRM-M-5849-2025

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

107 (3rd case)

**CRM-M-5849-2025 (O&M)
Date of Decision: 28.04.2025**

Sanjay

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**Present:** Mr. Ravinder Phogat, Advocate for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner in FIR No. 283 dated 12.08.2024, under Section 21(c) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), registered at Police Station Adampur, District Hisar.

2. Allegations are that co-accused Lavkesh Kumar was apprehended along with 15 strips of Lomotil (Diphenoxylate Hydrochloride and Atropine Sulphate Tablets) i.e 900 tablets (commercial in nature) and petitioner was nominated on the disclosure made by co-accused Deepak.

3. Contends that petitioner was granted interim bail by this Court, vide order dated 06.02.2025 and in pursuance thereof, he has already joined investigation; hence, his custodial interrogation is not required.



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4. The above factual position is not disputed by learned State Counsel, on instructions from quarter concerned and submits that his custodial interrogation is not required.

5. Heard learned counsel for the parties and perused the paper-book.

6. It transpires that petitioner was granted interim bail by this Court, vide order dated 06.02.2025 and the order reads as under:-

“Learned Counsel for the petitioner contends that the petitioner was not named in the FIR; rather implicated on the basis of disclosure made by co-accused Deepak. Further contends that in FIR No.526 dated 13.08.2024, petitioner has already been granted interim bail on 08.01.2025 by the Co-ordinate Bench in CRM-M-85-2025 (P-2).

To be heard along with CRM-M-1970-2025 on 13.02.2025.

In the meanwhile, the petitioner shall join investigation before the Investigating Officer, but he be not arrested till the next date of hearing.”

7. It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner has joined investigation and his custodial interrogation is not required.

8. In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioner. Consequently, present petition is allowed; interim order dated 06.02.2025 is made absolute subject to the conditions as envisaged under Section 482(2) of BNSS.

9. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

10. The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.

11. It is also clarified that in case of any recurrence on the part of petitioner, State would be at liberty to move an appropriate application for



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recalling of this order.

Pending application(s), if any, shall also stand disposed off.

28.04.2025 **(MAHABIR SINGH SINDHU)**
Rajeev (rvs) **JUDGE**

Whether speaking/reasoned Yes/No

Whether reportable Yes/No