



CRM-M-5209-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-5209-2025
Decided on: 05.03.2025

Santokh Singh @ Sonu SinghPetitioner
Versus
State of HaryanaRespondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Kuldeep Singh Siwach, Advocate
for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier 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	District
Santokh Singh @ Sonu Singh	09	09.01.2025	21(b) of NDPS Act, 1985 and Section 27-A was added later on	Sadar Sirsa	Sirsa

2. On 29.01.2025, following order was passed:-

“1. Present petition has been filed by the petitioner, for grant of anticipatory bail, in case bearing FIR No.09, dated 09.01.2025, under Section 21(b) of Narcotic Drugs and



Psychotropic Substances Act, 1958, and Section 27-A added later on, registered at Police Station Sadar Sirsa, District Sirsa.

2. *Counsel for the petitioner inter alia contends that despite involvement of the petitioner in about 20 cases, in 9 of the cases, he has already been acquitted by the Courts, and in all other cases, he has been granted concession of bail.*

3. *He further submits that majority of the cases have been registered against the petitioner from the year 2019 to 2022, and purposely, petitioner has either been involved by the police in the cases where the small quantity has been recovered from the main accused, or has been dragged into such cases based on disclosure statement. Out of the said 20 cases, it is only in one case that recovery of a small quantity of 20 grams of contraband has been shown against the petitioner.*

4. *Even in the present case, recovery of 09.19 grams of Heroin has been shown against one Kulwinder Singh @ Sonu, and subsequent to the registration of the FIR, name of the petitioner has been involved as co-accused, showing him as a supplier.*

5. *Further submits that the case of the prosecution against the petitioner is that on the day of registration of the FIR, i.e. on 09.01.2025, petitioner went out on his motorcycle for about 75 kilometres, and there he asked a passerby, if he wishes to get the contraband from him, and that too, after making complete disclosure of his own identity. Such an allegation which does not even arise at the time of affecting the recovery from the accused, is completely unbelievable. Thus, prays for grant of anticipatory bail to the petitioner.*

6. *Notice of motion.*

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

8. *List again on 05.03.2025, to enable learned State counsel to file status report in the matter.*

9. *Let the status report be filed by the State counsel after examining the CCTV footage, and the DSP concerned would examine the said CCTV footage which the petitioner relies upon, showing his presence in the house on the date of registration of the FIR.*

10. *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.*

11. *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."*



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3. Learned counsel for the petitioner contends that in compliance to the directions passed by this Court, petitioner has joined the investigation and has fully co-operated, thus, prays for confirmation of the order dated 29.01.2025, passed by this Court.

4. On the other hand, learned State Counsel has filed status report by way of affidavit of Adarshdeep Singh, HPS, Deputy Superintendent of Police, Sirsa, District Sirsa, on behalf of respondent/State in the Court today. Same is taken on record. A copy thereof has been handed over to the counsel for the petitioner.

5. Heard learned counsel for the parties and perused the status report. Since, there is no substantial reason explained in the status report or addressed by learned State counsel for requiring custodial interrogation of the petitioner, present petition is allowed and ad-interim order dated 29.01.2025, passed by this Court is hereby made absolute.

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.

6. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

March 05, 2025

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No