

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-11324-2025
Decided on: 30.04.2025

PARMAL KUMAR

Versus

.....Petitioner

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Vikram Singh Narwal, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023, 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
Parmal Kumar	344	24.12.2024	21(b) of NDPS Act, 1985	Chhachrauli	Yamuna Nagar

2. On 28.02.2025, following order was passed:-

“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 and age of petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Parmal Kumar, aged about 34 years	344	24.12.2024	21(b) of NDPS Act	Chhachrauli	Yamuna Nagar

2. Learned counsel for the petitioner, inter alia, contends that the petitioner is never found involved in any other similar activity,



warranting the action under NDPS Act. As per the secret information, it is the main accused namely Priyanka @ Priya, who has been selling heroin from her maternal home to others. However, on conducting raid, 20 grams of heroin was recovered from her.

3. Counsel for the petitioner further submits that name of the petitioner does not appear in the FIR, however, subsequently, on the basis of disclosure statement, petitioner has been involved in the present case, without there being any other substantial evidence to connect the Petitioner with the crime.

Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

4. Notice of motion.

5. On advance notice, Ms. Mayuri Lakhanpal, DAG, Haryana, puts in appearance on behalf of the respondent - State, and seeks some time to file status report in the matter.

6. Adjourned to 30.04.2025.

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 be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2)Cr.P.C.).

8. Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court."

3. Learned counsel for the petitioner submits that in compliance of order dated 28.02.2025 passed by this Court, the petitioner has joined the investigation, and has fully co-operated, thus, prays for confirmation of the interim bail order.

4. Learned State counsel has filed reply by way of affidavit of Rajender Kumar HPS, Deputy Superintendent of Police, Yamuna Nagar-I on behalf of respondent/State, in Court today. Same is taken on record. Registry is directed to tag the same at appropriate place with the paper book.

Learned State counsel on instructions, confirms the said averment and submits that the custodial interrogation of the petitioner would not be required now for the purpose of investigation.

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5. Heard learned counsel for the parties.

6. Since, the petitioner has joined the investigation and custodial interrogation is no more required, interim order dated 28.02.2025 passed by this Court is hereby made absolute. Present petition is thus allowed.

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.

Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

It is further made clear that if in future petitioner is found indulged in similar kind of activities, prosecution would be at liberty to seek cancellation of bail in the present case.

7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

April 30, 2025
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Whether Speaking/Reasoned: ~~YES/NO~~
Whether Reportable: ~~YES/NO~~