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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-11432-2025
Decided on: 01.05.2025

ASRAR AHMAD

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Edward Augustine George, Advocate,
for the petitioner.

Mr. Surender Singh Pannu, Addl. AG, Haryana.

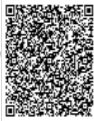
SANJAY VASHISTH, J.

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 & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Asrar Ahmad, aged about 38 years	46	03.02.2025	21, 25, 29 of NDPS Act	Madhuban	Karnal

2. On 01.03.2025, 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 & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Asrar Ahmad, aged about 38 years	46	03.02.2025	21, 25, 29 of NDPS Act	Madhuban	Karnal

2. *Learned counsel for the petitioner, inter alia, contends that ASI Narendar Kumar, the author of the impugned FIR, is the same police officer who had, about a month ago, threatened the petitioner with the registration of a false FIR involving him in some fabricated cases.*

In this regard, pleading raised by the petitioner in paragraph No.8, is reproduced here under:-

“8. That it is pertinent to mention here that the FIR has been registered by one ASI Narendar Kumar of Anti-Narcotics Cell, Karnal. It is brought to the knowledge of this Hon'ble court that the same IO on previous occasion i.e. in the month of November came to the house of the petitioner and threatened him of dire consequences and also threatened to implicate him in some false case or the other. The recording of the said incident is annexed as Annexure P-2.”

The version is recorded there in the compact disk (CD), which has been placed on record in the present petition, also.

3. *The version of the prosecution agency is that the recovery of 21.25 grams smack has been affected from one Insar, and on the disclosure statement of the said accused namely Insar, name of the petitioner has been involved in the present case.*

Thus, he submits that except of the disclosure statement, which is an inadmissible evidence, unless corroborated by some admissible evidence, chances of the prosecution's success in the present case are minimal.

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

4. *Notice of motion.*

5. *On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

6. *Adjourned to 01.05.2025.*

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 contends that in compliance of the order dated 01.03.2025, passed by this Court, the petitioner has joined the investigation, and has fully co-operated.

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

5. Heard learned counsel for the parties.

6. Since the petitioner has joined the investigation, custodial interrogation is no more required, present petition is allowed and ad-interim order dated 01.03.2025, 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.

7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

01.05.2025
Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO