



207(2nd case)

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

**CRM-M-12271-2025 (O&M)
Date of decision : 01.05.2025**

Ishwar

..Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Raman Chawla, Advocate for the petitioner.

Mr. Ashok Sehrawat, DAG, Haryana assisted by
ASI Shamsheer Singh.

MAHABIR SINGH SINDHU, J.

Present petition under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short, 'the B.N.S.S.') has been
filed for grant of pre-arrest bail to the petitioner in FIR No.0034 dated
19.01.2025, under Sections 21(b) of Narcotic Drugs & Psychotropic
Substances Act, 1985, registered at Police Station City Hisar, District
Hisar.

(2) Allegations are that petitioner had supplied Heroin to co-
accused Rita and Jyoti.

(3) Learned counsel contends that petitioner was granted
interim bail by this Court, vide order dated 05.03.2025 and in
pursuance thereof, he has already joined the investigation; hence, his
custodial interrogation is not required.



(4) Learned State counsel, on instructions from the quarter concerned, acknowledged the above factual position, and submits that as on today, custodial interrogation of the petitioner 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 05.03.2025 and the order reads as under:-

“Contends, inter alia, that petitioner has been nominated on the basis of disclosure made by main accused-Rita from whom alleged contraband i.e. 43 grams of heroin (non-commercial quantity) was recovered and co-accused, namely, Jyoti with similar allegations, has been granted interim protection by this Court on 20.02.2025 in CRM-M-8611-2025.

Notice of motion.

At this stage, Mr. Kiran Pal Singh, learned AAG, Haryana accepts notice on behalf of respondent; seeks time to have instructions and/or to file response in the matter.

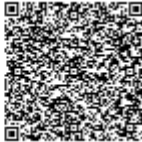
Posted for 09.04.2025.

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

To be heard along with CRM-M-8611-2025.”

(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 05.03.2025 is made absolute subject to the conditions as envisaged under Section 482(2) of the 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 recalling of this order.

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

01.05.2025
d.gulati

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No