



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

**CRM-M-24299-2025
DECIDED ON: 22.05.2025**

RAMESH KUMAR AND ANOTHER

.....PETITIONERS

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Pankaj Bali, Advocate
for the petitioner.

Mr. Chetan Sharma, DAG Haryana

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 482 of BNSS, 2023 seeking anticipatory bail to the petitioner in FIR No.236 dated 04.04.2025 registered under Sections 21(b), 22(b) and 29 of NDPS Act, registered at Police Station Sadar, Karnal (Annexure P-1).

Reply filed way of an affidavit of Nayab Singh, HPS Deputy Superintendent of Police (HQ), Karnal, is taken on record.

Learned counsel for the petitioners submits that the petitioners have joined the investigation in terms of the order dated 13.05.2025.

Learned State counsel submits that now one co-accused Pintu is stated to have given a statement to the effect that he was an employee of present petitioner and was compounder for a salary of Rs.8,000/- per month.

Per contra Learned counsel for the petitioner submits that in fact co-accused Pintu categorically stated before the police authorities that the petitioner has no role in the said clinic, which was given on rent to one Ankush under whom Pintu was an employee.

Learned counsel for the petitioner further asserts that the police is purposely not putting forth the statement rendered by Pintu during the course of investigation.

Mr. Chetan Sharma, DAG Haryana, on the other hand duly supported by Mr. Satish Kumar, Investigating Officer, who is present in Court, could not produce the same as it is not in the case file and the same has not been brought up the Investigating Officer.

The submissions of the State cannot be believed as a gospel truth in the absence of any documentary evidence to that effect.

Hence, this Court do not find any reason to decline the present petition, particularly when the petitioner has joined the investigation and debatable issues have raised like as discussed hereinabove.

The order dated 13.05.2025 is made absolute.

The petitioners shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under subsection (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the

case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.'

However, it is made clear that in case the petitioners do not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands disposed off.

(SANDEEP MOUDGIL)
JUDGE

22.05.2025
Meenu

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>