

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

CRM-M-26614-2025 (O&M)

Date of decision: 11.07.2025

Pradeep Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Narender Kaajla & Mr. Ajay Nain, Advocates
for the petitioner.

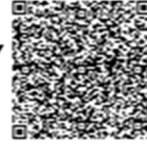
Mr. Neeraj Sheoran, DAG, Haryana for the respondent
assisted by ASI Hemraj.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short* 'BNSS') for grant of pre-arrest bail to the petitioner in FIR No.56 dated 20.01.2025 (P-1), under Section 15(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short* 'NDPS'); Sections 121(1), 132, 221, 324(5) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Sadar, District Hisar.

(2) Allegations are that petitioner was nominated on the basis of second disclosure of co-accused Sahdev from whom recovery of 89.80 Kg. of Poppy Husk (commercial quantity) was effected and further involved in obstructing public servants from discharging their official duties.

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(3) Contends that petitioner was granted interim protection by the Coordinate Bench, vide order dated 28.05.2025 and in pursuance thereof, he has already joined the investigation; hence, his custodial interrogation is not required.

(4) Learned State Counsel, on instructions from A.S.I. Hemraj, is not able to dispute the above factual position.

(5) Heard learned Counsel for the parties and perused the paper-book.

(6) It transpires that petitioner was granted interim protection by the Coordinate Bench, vide order dated 28.05.2025 and the same reads as under:-

“Status report dated 24.05.2025 in the form of an affidavit of Deputy Superintendent of Police, H.S.N.C.B., Hisar, has been filed. The same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

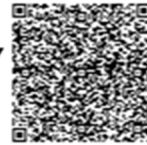
2. Heard.

3. ASI Hem Raj, Investigating Officer of the case, is present in Court today.

4. After considering the rival contentions and perusing the record, it transpires that the petitioner has been nominated on the disclosure statement of co-accused Mahender and even no contraband has been recovered from the said Mahender.

5. Be it the case, without commenting on the merit of the case, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 482 (2) of BNSS, 2023.

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6. Investigating Officer of the case to remain present along with record on the next date of hearing.

7. List on 11.07.2025.”

(7) It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner 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 28.05.2025 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.

11th July, 2025
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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