



CRM-M-26805-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212

CRM-M-26805-2025
Decided on: 01.12.2025

Gursewak Singh
.....Petitioner

Versus

State of Haryana
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. G.S. Sidhu, Advocate
for the petitioner.
Mr. Pawan Kumar Jhanda, Sr. DAG Haryana

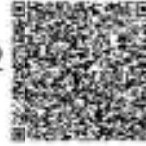
SANJAY VASHISTH, J. (ORAL)

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 FIR No.94 dated 26.03.2025, under Sections 21-b/61/85 of NDPS Act, at PS City Dabwali, District Sirsa.

2. On 16.05.2025, following order was passed:
“(i) 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 of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Gursewak Singh	94	26.03.2025	21-b/61/85 of NDPS Act	City Dabwali	Sirsa

(ii) Learned counsel for the petitioner submits that the recovery in this case is 30 grams of heroin, which is an intermediate quantity. Counsel



further submits that petitioner is not named in the secret information, but his name has surfaced on the disclosure statement of co accused Aakashdeep Singh @ Hunny, alleging that it is the petitioner who supplied the contraband. However, the contraband in question has already been recovered from the possession of the said Aakashdeep Singh @ Hunny and no recovery has been made from the petitioner. Furthermore, there is no other connecting evidence linking the petitioner to the offence.

Apart from the said disclosure statement there is no other substantive or independent evidence available with the prosecution to connect the petitioner with the alleged offence.

Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case, as he is ready to join the investigation as and when called by the investigating agency.

(iii) Notice of motion.

On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts in appearance on behalf of the respondent - State.

(iv) Adjourned to 05.08.2025.

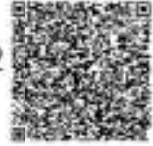
(v) In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

(vi) 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 to the order dated 16.05.2025 passed by this Court, the petitioner has joined the investigation on 08.06.2025.

4. Learned State counsel on instructions, confirms the said averment



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made by counsel for the petitioner of joining the investigation on 08.06.2025 by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 16.05.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

7. The 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.

8. However, present order would be subject to the submission of his passport to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he/she would submit an affidavit, disclosing the fact that he does not possess any passport.

9. It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

(SANJAY VASHISTH)
JUDGE

01.12.2025

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Whether Speaking/Reasoned:
Whether Reportable:

~~YES/NO~~
~~YES/NO~~