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

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CRM-M-30974-2025 (O&M)

Date of decision: 22.07.2025

Imran**...Petitioner****Versus****State of Haryana****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Rahil Mahajan, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J. (Oral)

1. This petition has been filed by the petitioner under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*) seeking anticipatory bail in case bearing FIR No. 60 dated 28.02.2022, registered under Sectiona 21-B and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Buria, District Yamuna Nagar.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that on 28.02.2022, co-accused Bilal was apprehended by a police party and recovery of 50 grams of heroin was effected from him. Upon interrogation, he disclosed that he had purchased the recovered contraband from the present petitioner. On the basis of the same, the petitioner was nominated in this case as an accused. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail before the Court of

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learned Additional Sessions Judge, Yamuna Nagar but the same had been dismissed, vide order dated 17.05.2025.

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. He has been nominated in this case on the basis of the disclosure statement suffered by the aforesaid co-accused, which is not admissible in evidence. More so, the alleged recovery of the contraband effected from the co-accused does not fall under commercial quantity. Co-accused has already been granted concession of regular bail. The petitioner is ready to join the investigation. No recovery is to be effected from him. No useful purpose would be served by detaining him into custody. It is, therefore, urged that the petition deserves to be allowed.

4. Reply has already been filed by the respondent-State. Learned Assistant Advocate General, Haryana has argued that keeping in view the gravity of the allegations, the petitioner is not entitled to get benefit of pre-arrest bail. It is, thus, argued that the petition is liable to be dismissed.

5. I have learned counsel for the parties at considerable length and have also perused the material placed on record.

6. The petitioner has been nominated in this case on the basis of the disclosure statement suffered by the above named co-accused. The co-accused has been granted concession of regular bail. *Challan* against the co-accused has been presented and the trial is going on. The quantity of the contraband recovered from the co-accused does not fall within the ambit of commercial quantity. The petitioner is shown to be facing trial in one more case of similar nature but that alone cannot be a ground to deny him the concession of

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anticipatory bail in given circumstances. In view thereof, I am of the considered opinion that the custodial interrogation of the petitioner is not required. Accordingly, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the compliance of conditions envisaged under Section 482(2) of BNSS. He is directed to appear before the Investigating/Arresting Officer to join investigation within a period of ten days from today or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on bail subject to his/her satisfaction.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

22.07.2025
Waseem Ansari

(MANISHA BATRA)
JUDGE

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