

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

2025:PHHC:102330



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**CRM-M-36894-2025 (O&M)
Date of Decision: 07.08.2025.**

Anoj Kumar @ Anuj Kumar

...Petitioner.

Versus

State of Haryana

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. Vikas Bishnoi, Advocate for the petitioner.

Mr. Sulinder Kumar, DAG, Haryana.

SUKHVINDER KAUR, J. (Oral)

Present petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.135 dated 28.02.2025, under Section 18 of NDPS Act, registered at Police Station Sadar Thanesar, District Kurukshetra.

As per prosecution case, on 28.02.2025, co-accused Nitu was apprehended by the police with 513 grams of opium in her possession and the petitioner was nominated as an accused in the present case only on the basis of disclosure statement of co-accused. The petitioner is alleged to be supplier of the contraband.

Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case only on the basis of disclosure statement of co-accused. No recovery has been effected from the petitioner and no other criminal case has been registered against him. He

has prayed that custodial interrogation of the petitioner is not required and he is ready and willing to join the investigation and the present petition be allowed.

Notice was issued in this case on 15.07.2025 and status report was called from the State, which was filed on 02.08.2025 with the Registry and the same is taken on record.

Learned State counsel opposed the bail application and submitted that the name of the petitioner surfaced in the disclosure statement suffered by co-accused Nitu, who was apprehended by the police, being in possession of contraband i.e. 513 gram opium. During investigation, co-accused suffered a disclosure statement, as per which the petitioner was supplier of the alleged contraband and as such he is not entitled to the concession of anticipatory bail.

Heard.

The perusal of the status report reveals that the call detail record of the petitioner was taken which shows that he was in regular talks with the co-accused. Along with status report copy of disclosure statement of co-accused Nitu (Annexure R-1) has been appended, in which she stated that she and Anuj became good friends and they used to talk on phone. So when there is only call detail regarding exchanging of calls between them, then in the absence of any other material on record, it is not made out that the petitioner had been talking with co-accused, for indulging in trafficking and supplying of the contraband. No other criminal case has been reported to be registered against the petitioner. The custodial interrogation of the petitioner is not required for any purpose and nothing is to be recovered from him. So no useful purpose would be served by sending the petitioner

Accordingly, without commenting on the merits of the case, the present petition is allowed. In the event of his arrest, the petitioner is ordered to be released on bail, on his furnishing bail/surety bonds, to the satisfaction of the Arresting Officer/ Investigating Officer, subject to the conditions, as provided under Section 482(2) of BNSS. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 482(2) of the BNSS.

(SUKHVINDER KAUR)
JUDGE

07.08.2025.

Komal

Whether speaking/reasoned?	:	Yes/ No
Whether reportable?	:	Yes/ No