



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

CRM-M-37370-2025

Date of Decision:17.07.2025

VIJAY SINGH

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Kuldeep Singh Siwach, Advocate for the petitioner.

SANDEEP MOUDGIL, J. (Oral)

1. Prayer

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.233 dated 16.06.2025 under Section 21(b), 27A, 29 (Act No.61) of Narcotic Drugs and Psychotropic Substances Act 1985, registered at Police Station City Fatehabad, District Fatehabad.

2 Contention

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and is nominated only on the basis of disclosure-statement of co-accused. He contends that the petitioner was neither present at the spot nor anything has been recovered from his conscious possession. He undertakes, on instructions, that the petitioner is ready and willing to cooperate with the investigation and shall appear as and when required.

Notice of motion.

**On behalf of the State/complainant**

On the asking of Court, Mr. Chetan Sharma, DAG, Haryana., accepts notice on behalf of respondent/State. He prays for dismissal of the present petition stating that the petitioner is accused of supplying the contraband i.e. 34 gms heroin to co-accused Ajay @ Ajji and his custodial interrogation would be necessary to nab other persons involved in the illegal drug trade. He further submits that petitioner is not having clean antecedents.

3. Analysis

Be that as it may, upon due consideration of the submissions advanced and, in particular, taking note of the fact that the petitioner is nominated in the present FIR only on the basis of disclosure-statement of co-accused and nothing is to be recovered from him, added with the fact that the contraband in question is marginally over and above the small quantity (5 gms) this Court is of the considered opinion that custodial interrogation of the petitioner is not warranted at this stage.

In the light of above, this Court finds no cogent or compelling reason to deny bail to the petitioner, particularly when he has expressed *bona fide* intent, and has undertaken to join and cooperate with the investigation so as to enable timely submission of the final report by the Investigating Agency.

4. Relief:-

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer



concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner 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 sub-section (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 petitioner does 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 allowed.

(SANDEEP MOUDGIL)
JUDGE

17.07.2025

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