

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

2025:PHHC:133050



(214)

CRM-M-38924-2025

Decided on : 24.09.2025

Taphasir Khan

.....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM : HON'BLE MR.JUSTICE SUMEET GOEL

Present: Mr. Narender Kaajla, Advocate &
Mr. Vikas Vashisth, Advocate for the petitioner (s).

Mr. Gurmeet Singh, AAG, Haryana.

Sumeet Goel (Oral):

1. Apprehending his arrest in FIR No.13 dated 09.01.2022 registered for offences punishable under Sections 15(C), 27-A, 29 of NDPS Act, 1985 and Sections 186, 307, 332, 353, 427 of IPC (Sections 465, 472 of IPC added lateron) at Police Station Sadar Fatehabad, District Fatehabad; the petitioner has preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.

2. On 30.07.2025, the following order was passed:

“Status report by way of affidavit of Jagdish Kumar, HPS, Deputy Superintendent of Police, Fatehabad has been filed in Court today. The same be kept on record. Copy thereof has been furnished to learned counsel for the petitioner.

Counsel for the petitioner, inter alia, contends that the petitioner is sought to be implicated into the FIR in question solely on the basis of a disclosure statement made by co-accused from whom the contraband in question has been allegedly recovered & the petitioner is willing to join investigation and cooperate therein. In order to buttress his arguments, learned

counsel for the petitioner has relied upon the dicta of the judgments of the Hon'ble Supreme Court in 'Vijay Singh versus The State of Haryana' bearing Special Leave to Appeal (Crl.) No(s).1266/2023, 'State by (NCB) Bengaluru vs. Pallulabid Ahmad Arimutta & Anr' 2022(1) RCR (Criminal) 762, 'Tofan Singh vs. State of Tamil Nadu, AIR 2020 Supreme Court 5592 and 'Smt. Najmunisha, Abdul Hamid Chandmiya @ Ladoo Bapu vs. State of Gujrat, Narcotics Control Bureau' 2024 INSC 290. Adjourned to 28.8.2025.

The petitioner is directed to appear before the Investigating Officer on 6.8.2025 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023."

3. Learned State counsel (on instructions from ASI Parveen) has submitted that the petitioner has joined investigation and he is not required for further custodial interrogation.

4. Keeping in view the factual milieu of the case in hand; especially the factum of the petitioner having joined investigation and he being arrayed as an accused on the basis of disclosure statement, this Court is inclined to confirm the order dated 30.07.2025, in light of the dicta of the judgment passed by this Court in **CRM-M-54032-2024 'Ashu Vs. State of Punjab'** and recent judgment of the Hon'ble Supreme Court passed in **'Jugraj Singh Vs. State of Punjab'** bearing **Special Leave to Appeal (Crl.) No.9190/2025**.

5. Accordingly, the petition is allowed and the order dated 30.07.2025 granting interim anticipatory bail to the petitioner is hereby made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS.

6. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

7. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS or upon showing any other sufficient cause.

8. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

9. Pending application(s), if any, shall also stand disposed off.

24.09.2025

Naveen

**(SUMEET GOEL)
JUDGE**

Whether speaking/reasoned :

Yes/No

Whether Reportable :

Yes/No