

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
201

CRM-M No.42192 of 2024 (O&M)
Date of decision: 14.02.2025

Abhishek Talwar
.....Petitioner
Versus
State of Haryana
.....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Vatsal Raj, Advocate
and Mr. Ankush Sihag, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 438 Cr.P.C., seeking anticipatory bail in case FIR No.214 dated 28.05.2024, registered under Section 21(B) of the NDPS Act (Section 29 of the NDPS Act, added later on), at Police Station Sector 17, HUDA, Jagadhri.

2. On 23.09.2024, the following order was passed:-

“Pursuant to order dated 30.08.2024, reply by way of affidavit dated 20.09.2024 of Rajeev Miglani, HPS, Deputy Superintendent of Police, Jagadhri, Yamuna Nagar, on behalf of respondent-State, as well as copy of re-disclosure statement of accused Louns Raunta @ Rajat as Annexure R-1, copies of online payments made by the petitioner as Annexures R-2 to R-4, have been filed in Court today, which are taken on record.

On the basis of said reply, learned State counsel

submits that the main accused Louns Raunta @ Rajat, from whose possession 10.85 grams of heroin was recovered, has been arrested on 29.05.2024 and it is on the basis of his disclosure statement, petitioner has been nominated in the present case. He further submits that the role of the petitioner in this case is that he used to purchase heroin from the main accused Louns Raunta @ Rajat and in this respect, whatsapp chat and online transactions are also there. There are total four accused in the case. Except the main accused, rest three are yet to be arrested. Case is still under investigation and custodial interrogation of petitioner is necessary. Learned State counsel further submits that petitioner is not involved in any case.

Considering the fact that the petitioner has no criminal antecedents as no case has been pointed out against him, main accused from whom petitioner used to purchase contraband has already been arrested, the petitioner is directed to join investigation as and when called by SHO/Investigating Officer and in the event of his arrest, he shall be released on interim bail on his furnishing bail bonds and surety bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438 (2) Cr.P.C.:-

(i) that the petitioner shall make himself available for interrogation before the investigating officer as and when required;

(ii) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) that the petitioner shall not leave the country without prior permission of the Court concerned.
Adjourned to 17.12.2024.”

3. Learned State counsel, on instructions from SI Jaswinder Singh, at the very outset, informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.
4. In view of the statement of learned State counsel, order dated 23.09.2024 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS *(erstwhile Section 438(2) of the Code of Criminal Procedure, 1973)*.
5. The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

14.02.2025
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No