



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

102

CRM-M- 39446-2025

Date of decision: 25.07.2025

Ayoob

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Ms. Sushma Varma Syal, Advocate for the petitioner.

SANDEEP MOUDGIL, J (ORAL)**1. Relief sought**

The jurisdiction of this Court has been invoked under Section 482 BNSS seeking pre-arrest bail in case FIR No.0878 dated 20.11.2024 under Sections 21 and 25 of the NDPS Act registered at P.S Karnal City, District Karnal.

3. Contention**On behalf of the petitioner**

Learned counsel for the petitioner contends that the petitioner has falsely been embroiled in the present case. The petitioner is not named in the FIR as he has been nominated as accused based on the statement of co-accused Furkan, with whom he had professional rivalry, who was arrested on 04.02.2025. The petitioner has nothing to do with the alleged contraband and that the main co-accused has already been granted the concession of regular bail.

Notice of motion.

On behalf of the State



On the asking of the Court, Mr. Sushil Bhardwaj, Addl.AG Haryana accepts notice on behalf of the respondent-State, who opposes the grant of anticipatory bail submitting that the custodial interrogation of the petitioner is necessary as he is actively involved in the offence as supplier of the contraband in question.

4. **Analysis**

Be that as it may, considering the fact that the petitioner is not named in the FIR as he has been nominated as accused based on the statement of co-accused Furkan, who was arrested on 04.02.2025 and the main co-accused has already been granted the concession of regular bail; there are no specific allegations against the petitioner and also the fact that custodial interrogation of the petitioner is not required at this stage as nothing is to be recovered from him.

5. **Relief**

In the light of above, the petitioner is directed to be released on anticipatory bail subject to him joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction for the reason that custodial interrogation of the petitioner is not required as it would be of no fruitful purpose to put the petitioner behind the bars. 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 and comply with the aforesaid condition under Section 482(2) of BNSS, 2023, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

25.07.2025
manoj

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No