



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-45797-2024
Date of decision: 03.02.2025

ISTKAR
....Petitioner

Versus

STATE OF HARYANA
....Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Sahil, Advocate for
Mr. Davneet Sangwan, Advocate
for the petitioner.

Mr. Ramender Singh Chauhan, AAG, Haryana.

.....

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 BNSS,
2023, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as
under: -

FIR No.	Dated	Sections	Police Station
123	27.03.2024	21-C of NDPS Act (Section 29 of NDPS Act added later on).	Sadar Yamuna Nagar District Yamuna Nagar

2. Learned counsel for the petitioner submits that in compliance to the order dated 16.09.2024, the petitioner has joined the investigation.
3. During the course of hearing on 16.09.2024, following order had been passed: -



“ The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No. 123, dated 27.03.2024, Police Station Sadar Yamunanagar, District Yamuna Nagar, under Section 21-C of NDPS Act (Section 29 NDPS Act added during investigation).

As per the case of prosecution, two persons namely Aavesh and Shoyab alias Saurabh were apprehended by the police pursuant to receipt of secret information to the effect that they indulged in drug trafficking. It is further the case of prosecution that while Aavesh was found in possession of 100 grams of ‘Heroin’, Shoyab alias Saurabh was found in possession of 367 grams of ‘Heroin’. It is further the case of prosecution that during interrogation they disclosed that the petitioner was also associated with them.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case solely on the basis of disclosure statements of co-accused, which would not carry any evidentiary value in the absence of any other connecting evidence.

Notice of motion for 03.02.2025.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

4. Learned State counsel on instructions received from SI Jaswinder Singh informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 16.09.2024 passed by this Court, interim bail granted vide order dated 16.09.2024 is hereby confirmed, subject to



conditions as envisaged under Section 482(2) of BNSS. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

- 6. The petition stands allowed.
- 7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

03.02.2025
puneet

(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |