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

CRM-M-44157-2025

Date of Decision: 02.12.2025

SHIV KUMAR

..... Petitioner

Versus

STATE OF HARYANA

..... Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Pawan Kumar Hooda, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, DAG, Haryana
assisted by ASI Sukhbir.

YASHVIR SINGH RATHOR, J. (Oral)

1. Prayer in this petition under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 is for grant of anticipatory bail in case FIR No.53 dated 28.04.2025 registered at Police Station Alewa, District Jind, under Sections 20 of NDPS Act.

2. Status report by way of an affidavit dated 18.09.2025 of Sanjay Kumar, Deputy Superintendent of Police, Uchana, District Jind filed on behalf of the respondent-State is taken on record. Registry is directed to tag the same at an appropriate place.

3. On 27.08.2025, the following order was passed:-

“Prayer in this petition under Section 482 of BNSS, 2023 is for grant of anticipatory bail in case FIR No.53 dated 28.04.2025 registered at Police Station Alewa, District Jind, under Sections 20 of NDPS Act.

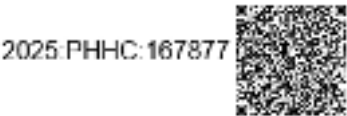


As per prosecution case, one Jagiro was apprehended by the police on the basis of secret information on 28.04.2025, on Naguran to Alewa Road and 1 kg 35 grams of Charas was recovered from her possession and she could not produce any permit or licence to possess the same. On interrogation, she suffered disclosure statement to the effect that petitioner had supplied the contraband to her. Apprehending arrest, the petitioner has approached the trial Court for anticipatory bail, which has been dismissed.

*Learned counsel for the petitioner argued that the petitioner has been falsely implicated in the present case. The disclosure statement of co-accused- Jagiro whereby he has been nominated as an accused is inadmissible in evidence and cannot be looked into. There is no other material to connect the petitioner with the alleged offence and disclosure statement alone cannot be made the basis to deny the benefit of anticipatory bail. Learned counsel next contended that petitioner is ready to join the investigation and he will abide by the conditions that may be imposed by the Court and benefit of anticipatory bail be extended in his favour. In support of his contentions, learned counsel for the petitioner has cited the Judgment reported as Law Finder Doc.id# 2687409, 2025:NCPHHC:2121 titled as “**Sahil Joshi Vs. State of Punjab**”.*

On the other hand, learned State counsel has opposed the prayer and argued that the name of the petitioner has emerged during investigation as the main supplier of the contraband and disclosure statement of co-accused Jagiro has pointed towards his role in the present offence indicating his involvement in the illicit drug network and as such, his custodial interrogation is essential to trace the source from where the contraband was arranged and other links of supply and petitioner does not deserve anticipatory bail.

Admittedly, no recovery has been effected from the petitioner and he was not named in the FIR. His name has cropped up in the disclosure statement of co-accused Jagiro



from whom contraband was recovered. At this stage, there is no other material against the petitioner except disclosure statement of co-accused. There are no call details between the petitioner and co-accused to point out towards his involvement. As such, it is a case wherein benefit of anticipatory bail should be extended.

Adjourned to 08.10.2025. Meanwhile, the petitioner is directed to join the investigation and in the event of his arrest, he shall be admitted to ad-interim bail on furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall abide by the terms and conditions as envisaged under Section 482(2) BNSS/438(2) Cr.P.C.”

- 4. Today, on instructions from ASI Sukhbir, learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 27.08.2025 and is no longer required for further investigation.
- 5. In view of the aforesaid, the order dated 27.08.2025, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.
- 6. Disposed of.
- 7. Pending misc application (s), if any, shall also stand disposed of.

(YASHVIR SINGH RATHOR)
JUDGE

02.12.2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No