

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M-46010-2025
Date of decision: 06.11.2025

RAHUL

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. R.S. Gill, Advocate for the petitioner.

Mr. R.K. Ambavta, DAG, Haryana assisted by ASI Ram Niwas.

YASHVIR SINGH RATHOR. J.(Oral)

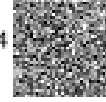
1. Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.276 dated 23.7.2025 registered under Sections 21-B, 27-A of NDPS Act at Police Station Sadar Fatehabad, District Fatehabad.

2. On 10.09.2025, following order was passed:-

“Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.276 dated 23.7.2025 registered under Sections 21-B, 27-A of NDPS Act at Police Station Sadar Fatehabad, District Fatehabad.

Status report by way of affidavit of Jagdish Kumar, DSP, Fatehabad, District Fatehabad filed on behalf of the State is ordered to be taken on record.

Brief facts of the prosecution case are that on 23.7.2025, ASI Roshan Lal accompanied by other police officials was present near the flyover when he received a secret information that one Ravi Kumar deals in sale of narcotics and he is standing at a service road near Samsidh International School in village Daryapur on his motorcycle with an intention to sell the Heroin and in case raid is conducted, he can be apprehended along with the contraband. Notice



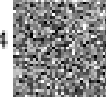
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under Section 42 of NDPS Act was prepared and sent to senior police officials through SI Satyaveer Singh and thereafter, the police party reached the disclosed place from where said Ravi Kumar was apprehended and 10 grams 44 miligrams of Heroin was recovered from his possession. On interrogation, he nominated the present petitioner as accused and the motorcycle on which he was travelling was also found to be owned by Rahul (petitioner) and several calls had been exchanged between them. Apprehending arrest, the petitioner applied for anticipatory bail which was rejected.

*Learned counsel for the petitioner argued that the petitioner has been falsely implicated. His name has cropped up in the disclosure statement suffered by main accused Ravi Kumar from whom the contraband has been recovered. The disclosure statement suffered by the accused is not admissible in evidence and cannot be used against him. The petitioner is ready to join the investigation and to abide by the conditions that may be imposed by the Court and he may be released on bail. In support of his contentions, learned counsel has cited the Judgment reported as Law Finder Doc.id# 2687409, 2025:NCPHHC:2121 titled as “**Sahil Joshi Vs. State of Punjab**” and order dated 20.08.2025 passed by Hon’ble Supreme Court in Criminal Appeal No.3640/2025 @ SLP (Crl) No.9190/2025 titled as ‘**Jugraj Singh Vs. State of Punjab**’. Learned counsel also placed on file the order dated 03.04.2025 passed by a Co-ordinate Bench of this Court in CRM-M-18403-2025 in the aforesaid case vide which bail application of aforesaid Jugraj Singh was rejected.*

On the other hand, learned State counsel has opposed the bail and argued that the petitioner is involved in sale of narcotics along with main accused Ravi Kumar and several calls have been exchanged between them and infact it is the petitioner who had supplied the contraband to him and his custodial interrogation is essential to ascertain the source from where the contraband was arranged and he does not deserve the concession of anticipatory bail.

Admittedly, no recovery has been effected from the petitioner and



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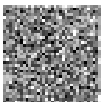
*he was not named in the FIR. His name has cropped up in the disclosure statement of co-accused Sunita, from whom contraband was recovered. At this stage, there is no other material against the petitioner except disclosure statement of co-accused Sunita. In **Jugraj Singh's case (supra)**, 5kg Heroin was recovered along with a sum of ₹ 17.50 lakh drug money and main accused had nominated said Jugraj Singh as the supplier and the Hon'ble Supreme Court had ordered his release on anticipatory bail observing that mere disclosure statement is not sufficient to connect him with the alleged occurrence. As such, it is a fit case wherein benefit of anticipatory bail should be extended.*

Adjourned to 6.11.2025. Meanwhile, the petitioner is hereby directed to join the investigation and in the event of his arrest, he shall be released on ad-interim anticipatory bail to the satisfaction of the Arresting/Investigating officer subject to the following conditions as envisaged under Section 482(2) of BNSS (erstwhile Section 438(2) of Cr.P.C.) :-

- 1. that the petitioner shall make himself available for interrogation by a police officer as and when required;*
- 2. that the petitioner 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/her from disclosing such facts to the Court or to any police officer;*
- 3. that the petitioner shall not leave India without the prior permission of the Court;*
- 4. such other condition as may be imposed under sub-section (3) of Section 480, as if the bail were granted under that section.””*

3. Today learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 10.09.2025 and is no longer required for further investigation.

4. In view of the aforesaid, the order dated 10.09.2025, whereby the



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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.

- 5. Disposed of.
- 6. Pending misc application (s), if any, shall also stand disposed of.

06.11.2025
amandeep

(YASHVIR SINGH RATHOR)
JUDGE

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