



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

216

CRM-M-49810-2025

Date of decision: 10.12.2025

Aryan @ Sonu Kumar @ Ankit

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present : Mr. Ankush Sihag, Advocate for the petitioner.

Mr. Vishal Singh, AAG, Haryana.

AARADHNA SAWHNEY, J.(ORAL)

1. By virtue of the present petition under Section 482 BNSS, petitioner, an accused in case bearing FIR No.1050 dated 24.12.2022 registered under Sections 21(B) and 29 of the NDPS Act at Police Station City Yamuna Nagar, District Yamuna Nagar, has prayed for grant of pre-arrest bail.

2. Status Report dated 09.10.2025 by way of affidavit of Mr. Kanwaljeet Singh, Deputy Superintendent of Police, Yamuna Nagar, has been placed on record. In para 5 thereof, the factum of petitioner having joined the investigation has been mentioned as also the fact he is not needed for further investigation.

3. During the course of submission, learned counsel for the petitioner clarifies that the first application for grant of anticipatory bail was dismissed as withdrawn, the same was not decided on merits. Moreover, pursuant to withdrawal of the first petition, the physical condition of wife of the petitioner, who had been detected with cancer, further deteriorated and who presently is on family way, thus the need for filing the present petition.

It is an admitted fact that petitioner was not caught at the site, his name cropped up in the disclosure statement of accused who was



allegedly caught keeping in his illegal possession 11 grams of heroin (marginally above the small quantity).

4. On 08.09.2025, following order was passed by this Court:-

“Petitioner, an accused, in case FIR No.1050 dated 24.12.2022 registered against him, at Police Station City Yamuna Nagar, District Yamuna Nagar, for commission of offences punishable under Sections 21(B) and 29 of the NDPS Act, has filed the present second petition for grant of pre-arrest bail.

Learned counsel submits that petitioner has been falsely implicated. His name cropped up in the disclosure statement of co-accused Jony Kumar, who was arrested at the spot, keeping in his illegal possession of 11 grams of heroin (marginally above the small quantity). Learned counsel submits that said disclosure statement, in the absence of recovery of any other incriminating material, is not admissible in evidence.

Learned counsel further submits that wife of the petitioner is suffering from brain tumor and is also in advance stage of pregnancy. Reference has been made to the copy of medical report, appended as Annexure P4 along with the petition. Primarily, with this backdrop, it has been prayed to take a lenient view in favour of the petitioner, who is ready and willing to join the investigation as and when called for by the Investigating Officer.

Notice of motion.

Ms. Shweta Nahata, DAG, Haryana, accepts notice on behalf of State of Haryana and seeks time to file detailed status report.

Adjourned to 16.10.2025.

In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).”

5. Keeping in view the fact that petitioner has joined the investigation, interim bail granted vide order dated 08.09.2025 is hereby confirmed, subject to conditions as envisaged under Section 482(2) 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 neither tamper



with the evidence nor will influence the witnesses and nor will leave the country without prior permission of the Court.

6. The petition stands allowed.

(AARADHNA SAWHNEY)
JUDGE

10.12.2025
Hemant

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