



303 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-56600-2024

Date of decision: 24.03.2025

MAHIPAL

...PETITIONER

V/S

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sanjeev Majra, Advocate for the petitioner.

Mr. Harkesh Kumar, AAG, Haryana.

HARPREET SINGH BRAR, J. (ORAL)

1. The instant petition is preferred under Section 482 BNSS, 2023 seeking anticipatory bail in FIR No.224 dated 17.9.2024 at Police Station Guhla, District Kaithal under Section 21(b) of Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 29 of NDPS Act added later on).

2. On 13.11.2024, following order was passed:

“The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.224, dated 17.9.2024 at Police Station Guhla, under Section 21(b) of Narcotic Drugs and Psychotropic Substances Act, 1985, wherein offence under Section 29 of NDPS Act was added later on.

The FIR was lodged pursuant to receipt of secret information by the police to the effect that one Sonu Ram @ Kala indulged in sale of ‘heroin’ and that on the given day, he was present near Gian Wali Flour Mill (Chakki). Pursuant to receipt of said information, the police was able to apprehend aforesaid Sonu Ram @ Kala and from whose possession 29.48 grams of ‘heroin’ was recovered. It is further the case of prosecution that during the course of interrogation, the aforesaid Sonu Ram @ Kala nominated the petitioner to be his associate.

Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case solely on the basis of a disclosure statement of co-accused though he is neither named in the FIR nor any recovery was ever effected from him. Learned counsel submitted that such like disclosure statement would not carry any evidentiary value in the absence of any other connecting evidence.

Notice of motion for 24.3.2025.

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 Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel, on instructions from ASI Ram Chander, submits that in compliance of order dated 13.11.2024 passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.
4. Keeping in view the statement made by learned State Counsel, the order dated 13.11.2024, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 482 (2) BNSS, 2023.
5. The petition is accordingly disposed of.
6. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

March 24, 2025
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(HARPREET SINGH BRAR)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No