



CRM-2813-2025 in/and
CRM-M-59669-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(102 + 202)

CRM-2813-2025 in/and
CRM-M-59669-2024
Date of Decision : 23.01.2025

Varun Kumar Sharma

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Amarsh Dudeja, Advocate for the petitioner.

Mr. Rajesh Gaur, Addl. AG, Haryana.

KULDEEP TIWARI, J.(Oral)

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For the good and valid reasons assigned in the application, same is allowed, and the order dated 28.11.2024, passed by this Court, is ordered to be modified, to the extent of addition of Section 29 of the NDPS Act, 1985, alongside Sections 22(b)/61/85 of the NDPS Act, 1985, as well as in the details of the FIR, head note, contents of the petition and prayer clause of the petition.

Registry is directed to carry out all the necessary corrections accordingly. Application stands **disposed of** accordingly.

CRM-M-59669-2024

1. This Court, vide order dated 28.11.2024, had passed the hereinafter extracted order, upon the instant petition:-

“This is the second petition, filed under Section 482 of the BNSS, 2023, seeking anticipatory bail to the petitioner in case FIR No.153, dated 26.07.2024, under Sections 22(b), 29, 61 and 85 of the NDPS Act, 1985,



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registered at Police Station Raipur Rani.

The first bail application preferred by the petitioner, seeking the relief (supra), was dismissed as withdrawn, by drawing an order dated 20.11.2024, with liberty to the petitioner to re-access this Court, with better particulars, on the same cause of action.

On asking for the relief (supra), learned counsel for the petitioner submits that the petitioner is not involved previously in any other criminal case. He further submits that the recovery effected in the instant FIR, does fall under the ambit of non-commercial quantity, and the same has been effected from the main accused-Rakesh Aggarwal @ Rakesh Kumar. Furthermore, the main accused has already been extended the relief of regular bail, by drawing an order dated 24.10.2024, passed by this Court. Finally, he submits that except the disclosure statement, there is no other evidence against the present petitioner.

Notice of motion.

Mr. Rajesh Gaur, learned Addl. AG, Haryana, waives service and accepts notice on behalf of the respondent-State of Haryana. He seeks some time to file response in the instant petition.

Adjourned to 23.01.2025.”

2. Thereafter, this Court, on dated 19.12.2024, had passed the hereinafter extracted order, upon the application bearing CRM No.49041-2024, seeking modification of the order dated 28.11.2024 :-

“Application seeking modification of the order dated 28.11.2024, passed by this Court, is allowed, for the good and valid reasons assigned therein.

The order dated 28.11.2024, is modified to the extent, that in the meanwhile, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of

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the Arresting/Investigating Officer. The petitioner shall, however, join the investigation as and when called for and shall also abide by the conditions specified under Section 482(2) BNSS, 2023.

*Application stands **disposed of** accordingly.”*

3. Today, the learned State counsel on instructions imparted to him from the quarter concerned, stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined investigation and he is no longer required for further custodial interrogation.

4. In view of the above, the hereinabove extracted interim orders dated 28.11.2024 and 19.12.2024, is hereby made absolute, subject to the hereinafter extracted conditions:-

*“(i) the petitioner(s) shall not commit an offence similar to the present offence;
(ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;
(iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when required.”*

5. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) indefinite protection from arrest. It shall be confined to the FIR mentioned ibid and will not operate in respect of any other incident that involves commission of an offence.

6. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

(KULDEEP TIWARI)
JUDGE

January 23, 2025
Manpreet

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