



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

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CRM-M No.27 of 2025

Date of decision: 03.03.2025

KULWINDER SINGH ALIAS SONU

.... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Ms. Divya Narula, Advocate for the petitioner.

Mr. Neeraj Poswal, A.A.G., Haryana.

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner in case FIR No. 460 dated 10.07.2024, registered under Sections 21B and 27A of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') Police Station Rania, District Sirsa.

2. Vide order dated 07.01.2025, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 07.01.2025, passed by this Court, reads as under:

“Through the instant petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner seeks grant of anticipatory bail in case arising out of FIR No. 460 dated 10.07.2024, registered under Sections 21B and 27A of the

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Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') Police Station Rania, District Sirsa.

Brief facts of the case are that on 10.07.2024, co-accused Raj Singh @ Labba and Puran @ Babbu were apprehended by a police party headed by SI Satbir Singh and recovery of 15 grams of heroin was effected from them. They were formally arrested at the spot. During the course of investigation, disclosure statements of above named co-accused were recorded, wherein they disclosed that the recovered contraband was purchased from the petitioner. On the basis of the same, the petitioner has been nominated in this case as an accused. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail before the Court of learned Additional Sessions Judge, Sirsa but the same had been dismissed, vide order dated 10.12.2024.

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. He has been nominated in this case on the basis of the disclosure statement suffered by the aforesaid co-accused, which is not admissible in evidence. More so, the alleged recovery of the contraband effected from the co-accused does not fall under commercial quantity. The petitioner is not involved in any other criminal case. He is ready to join the investigation. No recovery is to be effected from him. No useful purpose would be served by



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detaining him into custody. It is, therefore, urged that the petition deserves to be allowed.

Notice of motion.

Mr. Arjun Lakhanpal, Addl. A.G., Haryana, who is present in Court, accepts notice on behalf of the respondent-State and seeks some time to file the status report.

List again on 04.02.2025.

Considering the fact that the quantity of the alleged contraband recovered in this case is small and the petitioner is not involved in any other case under the NDPS Act, he is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on ad-interim bail subject to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of BNSS, 2023.”

3. Learned State counsel, on instructions from the Investigating Officer- ASI Sushil Kumar, has submitted that the petitioner had been arrested and remained in custody from 09.01.2025 to 10.02.2025 in a case arising out of FIR No.9 of 2025 registered at Police Station Sadar Sirsa. It is also submitted by him that the petitioner has joined investigation of this case on 22.02.2025 and he is not required for custodial interrogation.



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4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 07.01.2025, granting interim bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

03.03.2025
Jyoti-IV

(MANISHA BATRA)
JUDGE

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