

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

CRM-M-3047-2026
Date of decision: 27.04.2026

SURENDER

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM:- HON'BLE MR. JUSTICE SANJAY VASHISTH

Present:- Mr. Harjot Goyal, Advocate for
Mr. Inderjeet Singh Chawla, Advocate
for the petitioner.

Mr. Pawan Kumar Jhanda, Sr. DAG, Punjab.

SANJAY VASHISTH, J. (ORAL)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Surender, aged about 35 years	385	01.10.2025	20(b)/61/85 of NDPS Act	Agroha	Hisar

2. On 20.01.2026 following order was passed:-

1. *“Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the pe-*



itioner; who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Surender, aged about 35 years	385	01.10.2025	20(b)/61/85 of NDPS Act	Agroha	Hisar

2. *As per case of the prosecution, recovery in present case is of 01.52 Kg of ganja, which has been effected from the main accused Sanju.*
3. *Learned counsel for the petitioner submits that the petitioner has nothing to do with the alleged recovery and his name has not even been mentioned in the FIR. Petitioner's name surfaced only after arrest of the accused Sanju, which is an inadmissible evidence. However, apart from the disclosure statement of the arrested co-accused, there is no other connecting evidence proving the guilt of the petitioner. Thus, learned counsel for the petitioner prays for grant of concession of anticipatory bail to the petitioner in the present case.*
4. *Notice of motion.*
5. *On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*
6. *Adjourned to 27.04.2026.*
7. *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 abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

8. *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.*

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

3. Continuing his submissions, learned counsel for the petitioner contends that in compliance of the order dated 20.01.2026, passed by this Court, petitioner has joined the investigation, and has fully co-operated. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel on instructions from **ASI Nachhater Singh** confirms the said averment made by counsel for the petitioner of joining the investigation on **12.02.2026** by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 20.01.2026, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

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However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

7. Accordingly, petition stands disposed of.

27.04.2026

Jyoti-V

**(SANJAY VASHISTH)
JUDGE**

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**

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