

AT CHANDIGARH

Sonu Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Raman Chawla, Advocate
for the petitioner.

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

SANJAY VASHISTH, J.

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 of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Sonu Kumar aged about 29 years	921	28.12.2025	21(b), 27-A/61/85 of NDPS Act	Hansi City	Hisar

2. On 27.01.2026, following order was passed:-

1. ~~XXXX~~

2. As per the allegations contained in the FIR, on the basis of secret information, a raid was conducted, pursuant to which accused Sunil @ Sunil Kumar was apprehended on the spot. From his possession, recovery of 9.65 grams of heroin was effected, which was found in a black polythene bag. During interrogation, the said accused made a disclosure statement in which name of the petitioner has been disclosed as the alleged supplier of the said contraband.

3. *Learned counsel for the petitioner submits that petitioner has been falsely implicated in the case subsequent to the registration of the FIR, merely on the basis of the disclosure statement of accused Sunil @ Sunil Kumar, which is itself inadmissible in the eyes of law. In fact, there is no other evidence on record linking the petitioner to the commission of the alleged offence, and merely on the basis of a disclosure statement, no allegations can be said to be established against the petitioner. It is further submitted that petitioner is ready and willing to join the investigation and shall fully cooperate with the investigating agency, if protected from arrest by this Court. Thus, counsel prays that petitioner be granted the concession of anticipatory bail 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 28.04.2026.*

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 27.01.2026, 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 confirms the said averment made by counsel for the petitioner of joining the investigation 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 27.01.2026, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

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.

(SANJAY VASHISTH)
JUDGE

28.04.2026
Poonam

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