



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.

205

CRM-M-4601-2026 (O&M).
Date of Decision: 13.05.2026.

Sumit

VERSUS

....Petitioner.

State of Haryana

....Respondent.

CORAM : HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Vikas Bishnoi, Advocate for the petitioner.
Mr. Pawan Kumar Jhanda, Sr. DAG, Haryana.

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 of petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Sumit	20	13.01.2026	21B(II)b, 20(b)(ii)B and 25 of NDPS Act	Tosham	Bhiwani

2. On 28.01.2026, following order was recorded:-

- “1. xxx
2. Learned counsel for the petitioner, inter alia, contends that as per the allegations, the co-accused, namely Ravin, was apprehended while driving a motorcycle, bearing registration No.HR-48D-3383, from whose possession 2.860 kilograms of ganja was recovered. The said motorcycle stands registered in the name of one Satnarayan, who is the father of the present petitioner.

3. *It is further argued that after arrest of the co-accused Ravin, petitioner has been implicated in the present case solely on the basis of the disclosure statement of the co-accused, which is itself inadmissible in the eyes of law, with the allegation that the recovered ganja was supplied to Ravin by the petitioner.*

It is contended that the allegations are wholly baseless, as there is no other connecting or corroborative evidence against the petitioner, and merely on the basis of the disclosure statement of the coaccused, petitioner cannot be said to be involved in the case. Moreover, prosecution has concocted its version without any sound factual or legal basis. Thus, counsel prays for grant of the 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 13.05.2026.*

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 the submissions, learned counsel for the petitioner contends that in compliance of the order dated 28.01.2026, passed by this Court, petitioner has joined the investigation, and has fully co-operated. Therefore, learned counsel prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel on instructions, 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 28.01.2026, 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. 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.

8. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

13.05.2026
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Whether speaking/ reasoned : Yes/ No
Whether Reportable : Yes/ No