



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.

208

CRM-M-5985-2026 (O&M).
Date of Decision: 06.05.2026.

Deepak Kumar @ Deepak @ Chibarh

....Petitioner.

VERSUS

State of Haryana

....Respondent.

CORAM : HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Amit Choudhary, 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
Deepak Kumar @ Deepak @ Chibarh	16	11.01.2026	21(b) and 27-A of NDPS Act.	City Fatehabad	Fatehabad

2. On 03.02.2026, following order was passed:-

- “1. xxx
2. Learned counsel for the petitioner, inter alia, contends that as per the case of prosecution, 6.32 grams of heroin, wrapped in a wax pouch, was recovered from the right pocket of black-coloured jeans worn by the main accused, Joni Kumar. Upon his arrest, the said accused allegedly made a

disclosure statement to the effect that the recovered heroin had been supplied to him by the present petitioner.

3. *Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, solely on the basis of the said disclosure statement, which is itself inadmissible in the eyes of law.*

It is further contended that, apart from the disclosure statement, there is no independent or connecting evidence available with the prosecution to link the petitioner with the alleged recovery. Moreover, petitioner is ready to join the investigation and fully cooperate, if protected from arrest by this Court. Thus, counsel 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 06.05.2026.*

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 03.02.2026, 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 03.02.2026, 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

06.05.2026
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Whether speaking/ reasoned	:	Yes/ No
Whether Reportable	:	Yes/ No