



CRM-M-11874-2026

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

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**CRM-M-11874-2026
Decided on: 07.05.2026**

Beeru Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. V.K. Dhariwal, 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 FIR No.17, dated 17.01.2026, under Sections 20(b)(ii)(b) of NDPS Act, registered at Police Station Sector-5 Gurugram, Haryana.

2. On 07.03.2026, following order was passed:

“(i) The petitioner has filed the instant petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.17 dated 17.01.2026 registered under Section 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sector-5, Gurugram.

(ii). Learned counsel for the petitioner, inter alia, submits that the petitioner is innocent and has been falsely implicated in the present. He further submits that the petitioner was neither present at the spot, nor was named in the FIR and he has no concern with the alleged incident. He contends that the petitioner has been nominated as an accused only on the basis of the disclosure statement made by co-accused Sahil, from whom 1.116 kg of ‘Ganja’ was recovered. Apart from the disclosure statement, there is no other evidence to connect the



petitioner with the alleged offence. He further submits that disclosure statement of the coaccused has no evidentiary value in the eyes of law. He has placed reliance upon the judgment of Hon'ble Supreme Court in Tofan Singh Vs. State of Tamil Nadu : 2021(4) SCC 1. He further submits that no recovery is to be effected from the petitioner and the petitioner is ready and willing to join the investigation.

(iii). Notice of motion.

(iv). Mr. Priyavrat Parashar, A.A.G., Haryana accepts notice on behalf of the respondent-State and seeks time to file status report.

(v). Adjourned to 07.05.2026

(vi). In the meanwhile, arrest of the petitioner shall remain stayed. He shall join the investigation and co-operate with the investigating agency and shall not leave country without prior permission of this Court.”

3. Learned counsel for the petitioner submits that in pursuance to the directions issued by this Court vide order dated 07.03.2026, the petitioner has joined investigation.

4. Learned State counsel on instructions, confirms the said averment made by counsel for the petitioner of joining and further cooperating with the investigation, 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. In view of the above, the present petition is disposed of and the petitioner is again directed to join the investigation within two weeks from today, or as and when called by the investigating agency, and in the eventuality of the arrest, petitioner would be released on anticipatory bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

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



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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.

8. However, it shall be open to the prosecution to seek revival of the present bail order, in the event that statements made by learned counsel for the petitioner, as recorded here above, are found to be incorrect, or if the petitioner fails to join and cooperate with the investigation, in terms of the directions mentioned in the present order.

07.05.2026
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(SANJAY VASHISTH)
JUDGE

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