



211

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-12805-2026
Decided on : 22.04.2026

Mohit Kumar

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Naveen Kumar Kuhad, Advocate
for the petitioner(s).

Mr. Vinay Malhotra, DAG, Punjab
assisted by ASI Balwinder Singh.

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 here-under:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Mohit Kumar, aged about 23 years	106	07.08.2025	21(c), 29 of NDPS Act, 1985	Gidderbaha	Sri Muktsar Sahib

2. In the present case, on 10.03.2026, following order was passed by this Court:-

- “2. As per the allegations, on 07.08.2025, recovery of 500 grams of heroin was effected from co-accused Mandeep Singh and Happy. Petitioner was nominated in the present case on the basis of the disclosure statement made by the co-accused, with the allegation that the contraband was procured from the petitioner by the co-accused Mandeep Singh and Happy.
3. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, as he has been involved solely on the basis of a disclosure statement, which, in law, is not admissible evidence against co-accused and cannot, by itself, form the



basis of conviction. Moreover, counsel submits that petitioner is ready and willing to cooperate with the investigation if he is protected from arrest. In view of the above, learned counsel prays for the grant of anticipatory bail to the petitioner.

4. *Notice of motion.*

On advance notice, Mr. Jasdeep Singh, Addl. A.G, Punjab puts in appearance on behalf of the respondent – State. He seeks some time to file reply.

5. *Adjourned to 22.04.2026*

6. *In the meanwhile, petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, petitioner shall be released on interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. 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 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 10.03.2026, 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, confirms the said averment made by counsel for the petitioner of joining the investigation by the petitioners, 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 10.03.2026, passed by this Court is hereby made **absolute**.

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**, accordingly.

8. However, present order would be subject to the submission of passport of the petitioner to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he would submit an affidavit, disclosing the fact that he does not possess any passport.

It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

Pending misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

April 22, 2026

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No