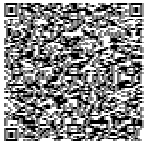


2026:PHHC:073974



220

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16629-2026

Rahul

....Petitioner

versus

State of Haryana

....Respondent

Date of Decision: May 12, 2026

Date of Uploading: May 12, 2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Ms. Sweedel Goyal, Advocate for
Mr. Laghuinder Singh Sekhon, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG Haryana.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of concession of anticipatory bail to the petitioner, in case FIR No.455 dated 28.11.2024, registered for offences punishable under Sections 15-C and 29 of the NDPS Act, 1985 and Sections 318(4) and 347 of the BNS, 2023, at Police Station Kalanaur, District Rohtak.

2. On 08.04.2026, the following order was passed:

“Apprehending his arrest in FIR No.455 dated 28.11.2024, registered for offences punishable under Sections 15-C and 29 of the NDPS Act and Sections 318(4), 347 of the BNS, 2023 (Sections 420 and 483 of IPC), at Police Station Kalanaur, District Rohtak; the petitioner has preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.

Reply by way of an affidavit dated 07.04.2026 has been filed, in the Court today, which is taken on record. A copy thereof has been furnished to the learned instructing counsel for senior counsel for the petitioner.

*Inter alia, contends that the petitioner is sought to be implicated into the FIR in question solely on the basis of a disclosure statement made by co-accused from whom the contraband in question has been allegedly recovered & the petitioner is willing to join investigation and cooperate therein. In order to buttress his arguments, learned counsel for the petitioner has relied upon the dicta of the judgments of the Hon'ble Supreme Court in '**Vijay Singh versus The State of Haryana**' bearing **Special Leave to Appeal (Crl.) No(s).1266/2023**, '**State by (NCB) Bengaluru vs. Pallulabid Ahmad Arimutta & Anr**' **2022(1) RCR (Criminal) 762**, '**Tofan Singh vs. State of Tamil Nadu**, **AIR 2020 Supreme Court 5592**, '**Smt. Najmunisha, Abdul Hamid Chandmiya @ Ladoo Babu vs. State of Gujrat, Narcotics Control Bureau**' **2024 INSC 290** and '**Jugraj Singh Vs. State of Haryana** bearing **Special Leave to Appeal (Crl.) No.9190/2025**.*

Put up on 12.05.2026.

The petitioner is directed to appear before the Investigating Officer on 16.04.2026 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023. ”

3. Learned State counsel (on instructions) has submitted that pursuant to the order dated 08.04.2026, the petitioner has joined investigation and his custodial interrogation is not required.

4. Keeping in view the factual *milieu* of the case in hand; especially the factum of the petitioner having joined investigation and his custodial interrogation is not required by the State, and he being arrayed as an accused on the basis of disclosure statement; this Court is inclined to confirm the order dated 08.04.2026, in light of the dicta of judgment passed by this Court in **CRM-M-54032-2024 'Ashu Vs. State of Punjab'** and the judgment passed by the Hon'ble Supreme Court in '**Jugraj Singh Vs. State of Haryana** bearing **Special Leave to Appeal (Crl.) No.9190/2025**.

5. Accordingly, the petition is **allowed**, and the order dated 08.04.2026 granting interim anticipatory bail to the petitioner is hereby made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS.

6. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.
7. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS or upon showing any other sufficient cause.
8. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
9. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

May 12, 2026

mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No