

2026:PHHC:073907



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-18993-2026

Rajiv Kumar

....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: Mr. Amit Choudhary, 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.56 dated 01.03.2026, registered for offences punishable under Sections 21(b) and 27-A of the NDPS Act, 1985, at Police Station City Ratia, District Fatehabad.

2. On 08.04.2026, the following order was passed:

“Apprehending his arrest in FIR No.56 dated 01.03.2026, registered for offences punishable under Sections 21(b) and 27-A of the NDPS Act, at Police Station City Ratia, District Fatehabad; the petitioner has preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.

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 Bapu 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, but his custodial interrogation is required for eliciting source from where the contraband was procured. Learned State counsel has further submitted that the petitioner has antecedents.

4. Keeping in view the factual milieu of the case in hand; especially the factum of the petitioner having joined investigation, but his custodial interrogation is required for eliciting source from where the contraband was procured, 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

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No