

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026:PHHC:085570



(102)

CRM-M-20775-2026
Decided on: 29.05.2026
Uploaded on: 29.05.2026

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.....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM : HON'BLE MR.JUSTICE SUMEET GOEL

Present: Mr. Piyush Mittal, Advocate for the petitioner (s).

Mr. Gurmeet Singh, AAG, Haryana.

Sumeet Goel (Oral):

1. Apprehending his arrest in FIR No.19 dated 12.02.2026 registered for offences punishable under Section 21-B of NDPS Act at Police Station Nathu Sarai Chopta, District Sirsa; the petitioner has preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.

2. On 17.04.2026, the following order was passed:

“Apprehending his arrest in FIR No.19 dated 12.02.2026 registered for offences punishable under Section 21-B of NDPS Act at Police Station Nathu Sarai Chopta, District Sirsa; the petitioner has preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.

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 Bapu vs. State of Gujarat, Narcotics Control Bureau'** 2024 INSC 29 and **'Jugraj Singh Vs. State of Punjab'** bearing **Special Leave to Appeal (Crl.) No.9190/2025**.*

Notice of motion.

On the strength of advance notice; Mr. Gurmeet Singh, AAG, Haryana has entered appearance on behalf of the respondent-State of Haryana.

Adjourned to 18.05.2026.

State is at liberty to file reply, if so required.

The petitioner is directed to appear before the Investigating Officer on 22.04.2026 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. Thereafter, on 18.05.2026, the following order was passed:

"Learned State counsel has filed reply by way of affidavit of Raj Singh, Deputy Superintendent of Police (Law and Order), Sirsa, District Sirsa, in Court today. The same be kept on record. Copy thereof has been furnished to learned counsel for the petitioner.

Learned State counsel (on instructions from SI Himmat Singh), has submitted that the petitioner has joined investigation in terms of order dated 17.4.2026 but is not cooperating therein.

The petitioner is directed to appear before the concerned Investigating Officer in the concerned police station on 20.5.2026 at 11:00 a.m. wherein he shall join investigation and cooperate therein.

State is directed to supply questionnaire to the petitioner and the petitioner is required to answer the same in accordance with law.

List on 29.5.2026.

Be shown in the urgent cause list.

Interim order to enure.”

4. Learned State counsel (on instructions from SI Himmat Singh) has submitted that the petitioner has joined investigation but his not cooperating as he has not disclosed from where the contraband in question was procured. Learned State counsel has further submitted that the petitioner is found to be in telephone contact with the persons who were arrested from the spot.

5. Keeping in view the factual milieu of the case in hand, especially the factum of the petitioner having joined investigation but not cooperating about the source of procuring the contraband in question, this Court is inclined to confirm the order dated 17.04.2026, in light of the *dicta* of the judgment passed by this Court in **CRM-M-54032-2024 ‘Ashu Vs. State of Punjab’** and recent judgment of the Hon’ble Supreme Court passed in **‘Jugraj Singh Vs. State of Punjab’** bearing **Special Leave to Appeal (Crl.) No.9190/2025**.

6. Accordingly, the petition is allowed and the order dated 17.04.2026 granting interim anticipatory bail to the petitioner is hereby made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS.

7. 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.
8. 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.
9. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
10. Pending application(s), if any, shall also stand disposed off

29.05.2026

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**(SUMEET GOEL)
JUDGE**

Whether speaking/reasoned :

Yes/No

Whether Reportable :

Yes/No