



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.

205

CRM-M-21839-2026 (O&M).
Date of Decision: 19.05.2026.

Buta Singh

....Petitioner.

VERSUS

State of Haryana

....Respondent.

CORAM : HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. S.K. Sirsa, 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 First Information Report, as detailed hereunder:-

Name of petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Buta Singh	43	01.04.2026	21(B) of NDPS Act	Odhan (Dabwali)	Sirsa

2. On 21.04.2026, following order was recorded:-

“1. xxx

2. Learned counsel for the petitioner, inter alia, contends that on 01.04.2026, during patrolling, co-accused Makhan Singh was apprehended at the spot. Upon search, 6.17 grams of heroin was allegedly recovered from the right pocket of the lower worn by him.

It is further submitted that name of the present petitioner has surfaced in the case, solely on the basis of a disclosure statement made by the co-accused Makhan Singh, wherein petitioner has been alleged to be the supplier of the recovered contraband.

3. *Learned counsel for the petitioner argues that petitioner has been falsely implicated in the present case. It is contended that since two more cases are already registered against the petitioner, he is known to the police officials, and in an attempt to inflate the number of cases against him, he has been roped in as an accused in the present matter.*

It is further submitted that, apart from the disclosure statement of the co-accused, no independent or substantive evidence has been collected by the prosecution to establish the petitioner's involvement in the present case.

Lastly, it is contended that petitioner is ready and willing to join the investigation and to fully cooperate with the investigating agency. Thus, counsel prays for grant of concession of anticipatory bail to the petitioner in the present case.

4. *Notice of motion.*

5. *On advance notice, Mr. Pawan Kumar Jhanda, Sr. DAG, Haryana, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

6. *Adjourned to 19.05.2026.*

7. *Meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

8. *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 the submissions, learned counsel for the petitioner contends that in compliance of the order dated 21.04.2026, passed by this Court, petitioner has joined the investigation, and has fully co-operated. Therefore, learned counsel 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 petitioner, 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 21.04.2026, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

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. 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.

8. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

19.05.2026

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Whether speaking/ reasoned : Yes/ No
Whether Reportable : Yes/ No