



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

104

CRM-M-34009-2025
Decided on : 25.02.2026

Sumit . . . Petitioner(s)

Versus

State of Haryana . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. M.S. Kundu, Advocate
for the petitioner(s).

Mr. Kanwar Sanjiv Kumar, AAG, Haryana
assisted by ASI Sunil, 25/SPT.

SANJAY VASHISTH, J. (Oral)

1. In the present case, on 03.07.2025, following order was passed
by this Court:-

“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 & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Sumit	208	27.05.2025	21(b) and 29 of the NDPS Act	Sadar Sonipat	Sonipat

2. Learned counsel for the petitioner, inter alia, contends that only on the disclosure statement of the main accused namely Ravi from whom 6.61 grams of heroin was recovered and except of the disclosure statement of the said accused, there is no other connecting evidence, which is admissible as per law.

3. He further argues that petitioner was never found present at the place of recovery, rather he has been involved falsely because on earlier occasion one FIR No.379 dated 04.12.2024, under Sections 109(1), 132, 221, 3(6) and 347(1), at Police Station Bahalgarh, which was registered on the pretext that petitioner had hit a car of Police official, wherein the Investigating Officer of the present case was also present.

In the said case petitioner has been released on anticipatory bail and thus submits that due to the animosity in the mind of the Police official he has been involved in the instant case.

Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

4. Notice of motion.

5. On advance notice, Mr. Kanwar Sanjiv Kumar, AAG,



Haryana puts in appearance on behalf of the respondent – State, and seeks some time to respond to the submissions addressed by learned counsel opposite, after seeking instructions.

6. *Adjourned to 18.09.2025.*

7. *In the 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 be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

8. *Besides, the petitioner would submit/surrender his passport before the Arresting Officer and an undertaking on oath that in case of leaving the Country, he would seek prior permission from the Investigating Agency/concerned Court.”*

2. Continuing his submissions, learned counsel for the petitioner contends that in compliance of the order dated 03.07.2025, 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.

3. Learned State counsel submits that reply by way of affidavit dated 17.09.2025 of ACP, City-II, Sonipat, has already been filed in the registry and same is available on the record of present case..

Learned State counsel on instructions, confirms the said averment made by counsel for the petitioner of joining the investigation on 05.09.2025 by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

4. Heard learned counsel for the parties.

5. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 03.07.2025, 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.

6. Accordingly, petition stands **disposed of**.

7. 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

February 25, 2026

J.Ram

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>