

2026:PHHC:087270



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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-33549-2026
DECIDED ON: 11.06.2026**

ASHIQ KHAN**.....PETITIONER(S)****VERSUS****STATE OF HARYANA****.....RESPONDENT(S)****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Harshit Ahuja, Advocate
for the petitioner (through Hybrid Mode)

SANDEEP MOUDGIL, J (ORAL)**1. Prayer**

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023/438 of Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.215 dated 16.05.2026, under Sections 21(b), 27(a) of NDPS Act, registered at Police Station City Fatehabad, District Fatehabad.

2 Contention**On behalf of the petitioner**

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case on the basis of disclosure statement of co-accused Shyamji and Sonu Kumar @ Poojari from whom recovery of 9 grams 5 milligrams of heroin was effected and the same is non-commercial in nature. He

further submits that no recovery was effected from the petitioner. He undertakes on behalf of the petitioner that he is ready and willing to join the investigation.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Ved Parkash, Sr. DAG Haryana accepts notice on behalf of respondent/State. He could not controvert the submissions made by learned counsel for the petitioner.

3. **Analysis**

Be that as it may, having given due consideration to the submissions advanced, particularly to the fact that admittedly the recovery of contraband i.e., 9.5 grams of heroin was not effected from the petitioner and the same is non-commercial in nature, custodial interrogation of the petitioner is not required.

In the light of above, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

4. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting Officer/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

11.06.2026
Meenu

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No