

2026.PHHC:087379



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

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**CRM-M-33720-2026 (O&M)
DECIDED ON: 12.06.2026**

SANDEEP

.....PETITIONER(S)

VERSUS

STATE OF HARYANA

.....RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Ramnish Puri, Advocate for the petitioner(s)
Mr. Ved Parkash, Sr. DAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

1. Prayer

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 praying for grant of pre-arrest bail to the Petitioner in FIR No. 307 dated 24.05.2026 registered at Police Station Kharkhoda, District Sonapat for offences punishable under Sections 61 of Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020) and [Section 318(4), 338, 336(3), 340(2) of BNS, 2023 & Section 3/181 of MV Act, 1988 added later on] (Annexure P-1), keeping in view the facts and circumstances of the case.

2 Contention

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner is neither named in FIR nor was present at the spot, moreover, the vehicle in

question even doesn't belong to the petitioner. He further submits that there is no evidence against the petitioner who is sought to be falsely implicated in the instant case only on the basis of disclosure statement made by the co-accused Hansraj.

He has argued that the alleged recovery has already been effected from the co-accused at the spot and nothing is to be recovered from the petitioner.

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 the petitioner is neither named in FIR nor was present at the spot, moreover, the vehicle in question even doesn't belong to the petitioner and the fact that the petitioner was nominated on the basis of disclosure statement made by the co-accused Hansraj and the alleged recovery has already been effected from the co-accused, 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

12.06.2026
anuradha

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