



CRM-M-38808-2025 (O&M) 1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

106

CRM-M-38808-2025 (O&M)

Decided on: 17.03.2026

RAHUL THAKUR

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Abhishek Sharma, Advocate,
for the petitioner.

Mr. Vinay Malhotra, DAG, Punjab.

SANJAY VASHISTH, J.CRM-45598-2025

1. Present application has been moved by the applicant/petitioner for placing on record the documents as Annexure P-

4.

2. Notice in the application.

3. On advance notice, Mr. Vinay Malhotra, DAG, Punjab, puts an appearance on behalf of the respondent/State, and raises no serious objection, if prayer made in the present application, is allowed.

4. Considering the averments mentioned in the application, prayer made in the application is allowed and , are ordered to be taken on record. Registry is directed to tag the same at the appropriate place on the file.

5. CM stands disposed of.



CRM-M-38808-2025 (O&M) 2

CRM-M-38808-2025

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
Rahul Thakur, aged about 25 years	0224	04.06.2025	20 of NDPS Act	City Kharar	SAS Nagar

2. On 23.07.2025, following order was passed:-

- “2. Learned counsel for the petitioner submits that the recovery of 139 grams of cannabis/charas has been effected from the pocket of lower worn by co-accused-Gaurav Thakur (main accused). Counsel further contends that name of the petitioner and another co-accused, Vishal has been involved in the case only on the basis of disclosure statement of accused-Gaurav Thakur.*
- Apart from the disclosure statement which too has been recorded much later to the registration of the FIR, there is no other connecting evidence to establish any connectivity of the petitioner with the main accused or the contraband, having been recovered from him. Thus, allegation of the prosecution that it is the petitioner, who supplied the contraband which is 139 grams of cannabis/charas alongwith one Vishal is vague.*
- 3. Apart from the said disclosure statement there is no other substantive or independent evidence available with the prosecution to connect the petitioner with the alleged offence.*
- 4. It is further submitted by learned counsel for the petitioner that co-accused, Gaurav Thakur has already been granted regular bail by the Trial Court vide order dated 21.07.2025. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case, as he is ready to join the investigation as and when called by the investigating agency.*
- 5. Notice of motion.*
- 6. On advance notice, Mr. Neeraj Madaan, Sr.DAG, Punjab, puts in appearance on behalf of the respondent-State.*



CRM-M-38808-2025 (O&M) 3

7. *Adjourned to 30.10.2025.*

5. *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 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.).*

6. *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 his submissions, learned counsel for the petitioner contends that in compliance of the order dated 23.07.2025, 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.

However, counsel for the petitioner submits that since no passport has been possessed by the petitioner, requisite affidavit in that regard has already been submitted to the investigating officer.

4. Learned State counsel on instructions from ASI Rajinder Singh, confirms the said averment made by counsel for the petitioner of joining the investigation on 29.07.2025, 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



CRM-M-38808-2025 (O&M) 4

23.07.2025, 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.

7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

17.03.2026
Lavisha

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**