

127

CRM-M-59966-2025
Decided on: 23.03.2026

Akash

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Vishal Sharda, Advocate
for the petitioner.

Mr. Parveen Kumar Aggarwal, Addl. A.G. 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 FIR No.304 dated 05.09.2025, under Sections 21B/61/85 of NDPS Act, at PS City Mandi Dabwali, District Dabwali.

2. On 28.10.2025, following order was passed:

“(i) *** *** *** ***

(ii) *In the instant case, recovery of 12 grams and 90 milligrams of heroin has been effected from the main accused, Ravi Kumar, who, as per learned counsel, has already been released on regular bail by the Court of Sessions. It is further submitted that after the arrest of the said accused Ravi Kumar, a disclosure statement was recorded, wherein, name of the present petitioner surfaced as the alleged supplier of the recovered contraband.*

(iii) *Learned counsel for the petitioner argues that name of the petitioner does not find mention in the contents of the FIR; however, during the course of the investigation, while recording the police proceedings, his name was subsequently*



introduced. It is submitted that this aspect will be a matter of evidence during the course of trial as to when and in what manner the disclosure statement of the main accused Ravi Kumar was recorded and how the petitioner's name came to be involved in the present case.

It is further argued that the petitioner was already known to the local police officials, having earlier been implicated in two other cases registered at the same Police Station, i.e., Police Station City Mandi Dabwali, and his false implication in the present case cannot be ruled out.

Learned counsel submits that the petitioner is ready and willing to join the investigation, provided he is protected from arrest. Accordingly, he prays for grant of the concession of anticipatory bail to the petitioner in the present case.

(iv) Notice of motion.

(v) On advance notice, learned State counsel 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. And, in case of necessity, to file status report by verifying the submissions addressed by the petitioner's counsel.

(vi) Adjourned to 19.01.2026.

(vii) 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.).

(viii) 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. Learned counsel for the petitioner submits that in pursuance to the directions issued by this Court vide order dated 28.10.2025, the petitioner has joined investigation.

4. Learned State counsel on instructions from ASI Krishan Kumar, confirms the said averment made by counsel for the petitioner of joining the

**CRM-M-59966-2025**

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 28.10.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

7. The 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.

8. However, present order would be subject to the submission of his passport 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.

9. It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

23.03.2026

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**(SANJAY VASHISTH)
JUDGE**

Whether Speaking/Reasoned:
Whether Reportable:

YES/~~NO~~
~~YES~~/NO