



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
108

CRM-M-61942-2025
Decided on : 11.03.2026

Raj Singh . . . Petitioner(s)
Versus
State of Haryana . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH
PRESENT: Mr. Naveen Siwach, Advocate (through V.C.)
for the petitioner(s).

Mr. Kanwar Sanjiv Kumar, AAG, 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 First Information Report, as detailed here-under:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Raj Singh, aged about 27 years	544	13.10.2025	21-B of NDPS Act	Hisar City	Hisar

2. In the present case, on 06.11.2025, following order was passed
by this Court:-

“2. As per the allegations, based on secret information, required notice under Section 42 of the NDPS Act was prepared and sent to the concerned Police Station through Constable Rammehar 215, for further action. Upon reaching the disclosed location, i.e., Bus Stand, Hisar, a young boy was observed selling narcotics. With the assistance of other police officials, the boy was apprehended and identified himself as Balbir Singh. During search, heroin/chitta weighing 10 grams was recovered from the right pocket of the lower garment worn by Balbir Singh.
3. Counsel for the petitioner contends that petitioner’s name was neither provided by the secret informant, nor disclosed by the main accused, Balbir Singh, at the time of his arrest, and consequently, petitioner’s name does not appear in the detailed facts of the FIR. Furthermore, recovery of 10 grams of heroin was effected solely from the arrested accused, Balbir Singh, and petitioner has been implicated only on



the basis of disclosure statement recorded subsequent to the petitioner's arrest.

Further argues that it is well-settled law that no individual can be treated as directly involved in an offence merely because their name is mentioned by a co-accused in the confessional statement. There must be substantive and corroborative evidence linking the named person to the alleged crime for the allegation to hold on a prima facie basis.

4. *Counsel for the petitioner contends that petitioner has been implicated primarily due to prior involvement in a separate NDPS case and his recognition by police officials from past encounters. It is further submitted that petitioner is willing to cooperate fully with the investigating agency and join the investigation, if provided protection from arrest. Thus, counsel prays for grant of anticipatory bail to the petitioner in the present case.*

5. *Notice of motion.*

6. *On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

7. *Adjourned to 22.01.2026.*

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

9. *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.”

2. Continuing his submissions, learned counsel for the petitioner contends that in compliance of the order dated 06.11.2025, 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 on instructions, confirms the said averment made by counsel for the petitioner of joining the investigation 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 06.11.2025, passed by this Court is hereby made **absolute**.

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**, accordingly.

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

March 11, 2026

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*