



CRM-M-63254-2025

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

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**CRM-M-63254-2025
Decided on: 24.03.2026**

Tehal Singh

.....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.381, dated 29.07.2025, under Sections 15B/61/85 of NDPS Act, registered at Police Station Rania, District Sirsa.

2. On 29.07.2025, from possession of main accused Fateh Singh, 3 Kg 120 Grams of Chura Post was recovered and after affecting his arrest, on the basis of disclosure statement, petitioner has been named as accused supplier being of the said recovered Chura Post.

3. Learned counsel for the petitioner contends that except of the disclosure statement and that too of the co-accused, no other evidence was collected during investigation to connect the petitioner with the crime. Further submits that main accused Fateh Singh has already been released on bail by

**CRM-M-63254-2025****2**

learned trial Court vide order dated 09.09.2025 (Annexure P-3), thus, prays for grant of anticipatory bail as he is ready to join investigation as well.

4. On the other hand, learned State counsel submits that after naming the petitioner as accused in the disclosure statement of accused Fateh Singh, the CDR of call details Mobile No. of petitioner 9413615805 and of main accused Fateh Singh with his Mobile No. 8705997046 have been tallied and both were found in regular connectivity with each other.

5. Faced with the said situation, learned counsel for the petitioner submits that infact the mobile phone No. 9413615805 does not belong to the petitioner. Since petitioner is not admitting the possessing of recovered mobile and having been nominated only on the basis of disclosure statement of co-accused Fateh Singh, it can not be termed that definitely petitioner is an accused in the present case, being supplier of the recovered Chura Post weighing 3 Kg 120 Grams.

6. Considering the submissions addressed by the respective counsel and going through the record, this Court is of the view that petitioner might be already known to the police department and, therefore, only because of his name in two other cases, can not be taken as a reason of his involvement in present case. Whether actually or not, he is involved in the present case as supplier, would only be a matter of evidence and that burden is heavily upon the prosecution to prove the charges beyond doubt. Therefore, this Court finds it appropriate to grant the concession of anticipatory bail to the petitioner in the present case.

7. Accordingly, petitioner is directed to join the investigation within two weeks from today, or as and when called by the investigating agency, and in the eventuality of the arrest, petitioner would be released on anticipatory bail, subject



CRM-M-63254-2025

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.).

8. 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.

9. With the directions issued here above, present petition stands disposed of.

24.03.2026
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(SANJAY VASHISTH)
JUDGE

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