

2026:PHHC:019943



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

CRM-M-69073-2025
Date of Decision: 10.02.2026

Karan Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present: Mr. G.S. Saini, Advocate
for the petitioner.

Mr. Gurdeep Singh, AAG, Punjab.

AARADHNA SAWHNEY, J. (ORAL)

1. By virtue of the present petition under Section 482 BNSS, petitioner, an accused in case bearing FIR No.144 dated 31.07.2025 registered under Sections 22/27 of the NDPS Act (Section 29 added later on), at Police Station Kot Ise Khan, District Moga, has prayed for grant of pre-arrest bail.

2. Status report dated 07.02.2026 by way of affidavit of Mr. Jasvarinder Singh, PPS, Deputy Superintendent of Police, Dharamkot, Distt. Moga, has been filed. The same is taken on record. Learned State counsel, on instructions from ASI, Yadwinder Singh, No.32/Moga states that the petitioner has joined the investigation and is not needed for any further investigation.

3. On 11.12.2025 following order was passed by the coordinate Bench of this Court:-

“1. Prayer in this petition under Section 482 of BNSS, 2023 is for grant of anticipatory bail in case FIR No.0144, dated 31.07.2025, under Sections 22 and 27 of NDPS Act (Section 29 of

NDPS Act added later on), registered at Police Station Kot Ise Khan, District Moga.

2. Notice of motion.

3. Mr. Jatinder Pal Singh, Sr. DAG, Punjab accepts notice on behalf of the respondent-State. The parties have been heard and material on file has been perused.

4. As per prosecution case, one Sohan Singh @ Rajan was apprehended by the police and 66 loose intoxicating tablets of tramadol hydrochloride (27.78 grams) were recovered from him. On interrogation, he nominated the present petitioner as the supplier. Apprehending arrest, the petitioner applied for anticipatory bail, which has been dismissed by the Judge, Special Court, Moga, vide order dated 17.11.2025 (Annexure P-3).

5. Learned counsel for the petitioner argued that the petitioner has been falsely implicated in the present case. The disclosure statement of co-accused Sohan Singh @ Rajan, whereby he has been nominated as an accused is inadmissible in evidence and cannot be looked into. There is no other material to connect the petitioner with the alleged offence and disclosure statement alone cannot be made the basis to deny the benefit of anticipatory bail. Learned counsel next contended that petitioner is ready to join the investigation and he will abide by the conditions that may be imposed by the Court and benefit of anticipatory bail be extended in his favour. In support of his contentions, learned counsel has cited the Judgment reported as Law Finder Doc.id# 2687409, 2025:NCPHHC:2121 titled as "Sahil Joshi Vs. State of Punjab" and order dated 20.08.2025 passed by Hon'ble Supreme Court in Criminal Appeal No.3640/2025 @ SLP (Crl) No.9190/2025 titled as 'Jugraj Singh Vs. State of Punjab'. Learned counsel also cited the order dated 03.04.2025 passed by a Co-ordinate Bench of this Court in CRM-M-18403-2025 in the aforesaid case vide which bail application of aforesaid Jugraj Singh was rejected.

6. On the other hand, learned State counsel has opposed the prayer and argued that the name of the petitioner has emerged

during investigation and disclosure statement of co-accused Sohan Singh @ Rajan has pointed towards his role in the present offence indicating his involvement in the illicit drug network and as such, his custodial interrogation is essential to trace the source from where the contraband was arranged and other links of supply and petitioner does not deserve anticipatory bail.

7. *Admittedly, the name of the petitioner has cropped up in the disclosure statement of co-accused Sohan Singh @ Rajan, from whom the alleged contraband was recovered. At this stage, there is no other material against the petitioner except disclosure statement of co-accused Sohan Singh @ Rajan. In Jugraj Singh's case (supra), 5kg heroin was recovered along with a sum of Rs.17.50 lakh drug money and main accused had nominated said Jugraj Singh as the supplier and the Hon'ble Supreme Court had ordered his release on anticipatory bail observing that mere disclosure statement is not sufficient to connect him with the alleged offence. As such, it is a fit case wherein benefit of anticipatory bail should be extended.*

8. *Adjourned to 10.02.2026 for filing status report. Meanwhile, the petitioner is directed to join the investigation and in the event of his arrest, he shall be admitted to ad-interim bail on furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer, subject to the following conditions as envisaged under Section 482(2) of the BNSS [erstwhile Section 438(2) Cr.P.C.]:-*

- i) that the petitioner shall make himself available for interrogation by a police officer as and when required;*
- ii) that the petitioner 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/her from disclosing such facts to the Court or to any police officer;*
- iii) that the petitioner shall not leave India without the prior 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."*

4. Keeping in view the fact that petitioner has joined the investigation, interim bail granted vide order dated 11.12.2025 is hereby confirmed, subject to conditions as envisaged under Section 482(2) BNSS. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

5. The petition stands allowed.

6. Pending application, if any, also stands disposed of.

10.02.2026
Parveen kumar

(AARADHNA SAWHNEY)
JUDGE

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