



CRM-M-74076-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

120

CRM-M-74076-2025
Decided on: 24.02.2026

Kashmir Chand

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Kanisth Ganeriwala, Advocate
for the petitioner.

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 FIR No.377 dated 20.11.2025, under Sections 105 and 123 of BNS, 2023 at PS Dabwali Sadar, District Sirsa.

2. On 12.01.2026, following order was passed:

“ Prayer in this petition under Section 482 of BNSS, 2023 is for grant of anticipatory bail to the petitioner in case FIR No.377 dated 20.11.2025, under Sections 105 and 123 of BNS, 2023, registered at Police Station Dabwali Sadar, District Sirsa.

Status report dated 11.01.2026 by way of affidavit of Kapil Ahlawat, HPS, Deputy Superintendent of Police (HQ), Dabwali, District Sirsa filed by respondent-State is taken on record.

The parties have been heard and material collected by the police during investigation has been perused.

The present case was registered on the basis of complaint given to the police by Lal Chand with the allegations that his son had started consuming drugs including heroin, capsules etc. which used to supplied by petitioner-



CRM-M-74076-2025

Kashmir Singh and two persons namely Manpreet and Navjeet. Due to consuming drugs his condition became serious and he was taken to the hospital, where he was declared dead and he sought action against the petitioner. Learned counsel for the petitioner contended that petitioner has been falsely implicated. There is no evidence to connect him with the alleged offence that he had supplied any contraband/drug to the deceased. Even the report of viscera has not been received as yet and cause of death is still not known.

Learned counsel for the petitioner submits that he is ready to join the investigation. Nothing is to be recovered from the accused and he shall abide by the conditions that may be imposed by the Court. On the other hand learned State Counsel has opposed the bail and argued that petitioner has committed a heinous offence and he does not deserve the concession of anticipatory bail.

Adjourned to 24.02.2026.

In the 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 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. ”*

3. Learned counsel for the petitioner submits that in pursuance to the directions issued by the coordinate bench of this Court vide order dated 12.01.2026, the petitioner has joined investigation.

4. Learned State counsel on instructions from ASI Dalbir Singh, confirms the said averment made by counsel for the petitioner of joining the investigation by the petitioner on 07.02.2026 and submits that as of now, custodial



CRM-M-74076-2025

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 12.01.2026 passed by the coordinate bench of 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.

24.02.2026

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(SANJAY VASHISTH)
JUDGE

Whether Speaking/Reasoned:
Whether Reportable:

YES/NO
~~YES~~/NO