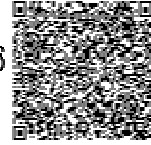


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**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

101

CRM-M-30005-2025 (O&M)

Date of decision: 18.08.2025

Sonu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Raman Chawla, Advocate
for the petitioner.

Mr. Apoorv Garg, Addl. A.G., Haryana.

MANISHA BATRA, J. (Oral)

1. CRM-2704-2025

Allowed as prayed for.

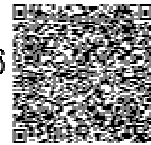
Documents are taken on record.

2. CRM-M-30005-2025 (O&M)

This petition has been filed by the petitioner under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in case bearing FIR No. 0180 dated 18.04.2025, registered under Sections 21B and 27A of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station City Hisar, District Hisar.

3. Brief facts of the case relevant for the purpose of disposal of this petition are that on 18.04.2025, pursuant to receipt of a secret information, co-accused Sushila was apprehended and recovery of 08.48 grams of heroin was effected from her. Upon interrogation, she disclosed that the petitioner, who is her husband, had supplied her the recovered contraband. On the basis of the

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same, the present petitioner has also been nominated in this case as an accused. Apprehending his arrest, the petitioner had filed an application for grant of anticipatory bail before the Court of learned Additional Sessions Judge, Hisar but the same had been dismissed, vide order dated 21.05.2025.

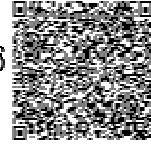
4. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. He has been nominated in this case only on the basis of disclosure statement of above named co-accused, which cannot be considered to be admissible in evidence. He has been involved in two more cases of similar nature, out of which, he has been acquitted in one case and in another case, he is on bail. It is further argued that the petitioner is ready to join the investigation. No recovery is to be effected from him. No useful purpose would be served by detaining him into custody. It is, therefore, urged that the petition deserves to be allowed.

5. *Per contra*, learned State counsel, who has advance notice of the petition and is ready to argued the matter, has submitted that keeping in view the gravity of the allegations levelled against the petitioner as well as his criminal antecedents, he is not entitled to get benefit of pre-arrest bail. It is, thus, argued that the petition is liable to be dismissed.

6. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

7. The petitioner has been nominated in this case on the basis of the disclosure statement suffered by above named co-accused, who was apprehended by the police party on 18.04.2025 and from whom, recovery of aforementioned contraband was recovered. The allegation against the

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petitioner is that he had supplied the same to her. However, at this stage, there is nothing on record to connect the petitioner with the subject crime except the said disclosure statement. Hence, it is a question of debate as to whether the petitioner was involved in commission of subject crime or not. In view thereof, I am of the considered opinion that the custodial interrogation of the petitioner is not required. Accordingly, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the compliance of conditions envisaged under Section 482(2) of BNSS. He is directed to appear before the Investigating/Arresting Officer to join investigation within a period of ten days from today or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on bail on furnishing personal as well as surety bonds subject to his/her satisfaction.

8. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

18.08.2025

Wasem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No