



CRM-M-11532-2025

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

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**CRM-M-11532-2025
Decided on: 01.05.2025**

RAKESH

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Chakitan Vikram Shekhar Papta, Advocate,
for the petitioner.

Mr. Surender Singh Pannu, Addl. AG, Haryana.

SANJAY VASHISTH, J.

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 hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Rakesh, aged about 44 years	555	18.12.2024	18 of the NDPS Act, 1985	Chandimandir	Panchkula

2. On 01.03.2025, following order was passed:-

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 hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
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<i>Rakesh, aged about 44 years</i>	<i>555</i>	<i>18.12.2024</i>	<i>18 of the NDPS Act, 1985</i>	<i>Chandimandir</i>	<i>Panchkula</i>
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2. *Learned counsel for the petitioner, inter alia, contends that vide order dated 04.02.2025, petitioner was granted ad-interim anticipatory bail, with the direction to join the investigation. However, due to the illness of his wife, said direction was not complied with, and instead of granting another opportunity, learned Court below has declined the prayer of the anticipatory bail made by the petitioner. Thus, present petition has been filed by the petitioner before this Court.*

3. *Notice of motion.*

4. *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.*

6. *Adjourned to 01.05.2025.*

7. *In the meanwhile, the petitioner is directed to join the investigation, once again, 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 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.”

3. Learned counsel for the petitioner contends that in compliance of the order dated 01.03.2025, passed by this Court, the petitioner has joined the investigation, and has fully co-operated.

4. Learned State counsel, confirms the said averment and submits that the custodial interrogation of the petitioner would not be required now for the purpose of investigation.



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5. Heard learned counsel for the parties.

6. Since the petitioner has joined the investigation, custodial interrogation is no more required, present petition is allowed and ad-interim order dated 01.03.2025, 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.

7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

01.05.2025
Lavisha

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