

104 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36677-2025
Date of Decision:15.07.2025

VIJAY KUMAR

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Gaurav Vir Singh Behl, Advocate for the petitioner.

SANDEEP MOUDGIL, J. (Oral)

1. Prayer

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No. 80, dated 17.05.2025, under Section 20 of Narcotics Drugs and Psychotropic Substances Act, 1985, registered at Police Station, Panjokhra, Distt. Ambala (Annexure P-1),.

2 Contention

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner is neither named in the FIR nor he was present at the spot, coupled with the fact that he was nominated as an accused on the basis of disclosure statement of co-accused namely Suman Kumar who was himself also named as an accused on the basis of disclosure statement. He further submits that nothing has been recovered from the petitioner and the present case is of non-commercial quantity i.e. 1700 gms of Ganja, which is recovered from co-accused Saurabh Sharma @ Katta who has been granted bail by the Court of Additional Session Judge, Fast Track, Special Court, District

Ambala vide order dated 18.06.2025. Learned counsel for the petitioner submits that the petitioner is ready to join the investigation and undertakes to appear on each and every date of hearing.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Chetan Sharma, DAG, Haryana, accepts notice on behalf of respondent/State. He prays for dismissal of the present petition stating that the petitioner is involved in the dealing of the narcotics and custodial interrogation is required to unravel the whole operation of the crime.

3. **Analysis**

Be that as it may, upon due consideration of the submissions advanced and, in particular, taking note of the fact that the petitioner is neither named in the FIR nor he was present at the spot, and he was nominated as an accused on the basis of disclosure statement of co-accused and is ready to join the investigation.

In the light of above, this Court finds no cogent or compelling reason to deny bail to the petitioner, particularly when he has expressed *bona fide* intent, and has undertaken to join and cooperate with the investigation so as to enable timely submission of the final report by the Investigating Agency.

4. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of

personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

'When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person 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) a condition that the person shall not leave India without the previous 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.'

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

15.07.2025

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