



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

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**CRM-M No.11457 of 2025
Date of decision: 03.04.2025**

JABIR

.... Petitioner

Versus**STATE OF HARYANA**

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Ms. Apurva Walia, Advocate for
Mr. Saurav Bhatia, Advocate for the petitioner.

Ms. Sheenu Sura, D.A.G., Haryana.

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner in case FIR No.760 dated 21.09.2024, registered under Section 21-B of the NDPS Act (Section 29 of NDPS Act added later on), at Police Station Sector-58, Faridabad.

2. Vide order dated 28.02.2025, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 28.02.2025, passed by this Court, reads as under:

“Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail to the petitioner in case arising out of FIR No.760 dated 21.09.2024 registered under Section 21-B of Narcotic Drugs & Psychotropic Substances Act, 1985 (Section 29 of NDPS added later on), at Police Station City Sector-58, Faridabad.



The aforementioned FIR has been registered on the basis of complaint lodged by S.I. Sajjan Kumar on 21.09.2024 alleging therein that on the same day, he along with some police official was performing patrolling and crime detection duty and was present near police post Sikrona when a secret information was received that accused Imran who was indulged in the business of selling smack/heroin, could be apprehended with the same, if raid was immediately conducted as he was coming towards village Bijaypur to sell the same to drug addicts. Believing the information to be true, police officials rushed towards informed place and laid the barricades. Some time later accused Imran was found coming from village Ladiyapur. He was apprehended. Thereafter, notice under Section 42 of NDPS Act was served and his search was conducted in accordance with law. 6 grams 17 mg of contraband had been recovered from a polythene bag carried by accused Imran which is of non commercial quantity. The same was taken into custody. He was formally arrested and was interrogated. He suffered disclosure statement to the effect that he had taken contraband from the present petitioner on the basis of which, the present petitioner had been nominated as an accused. The investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved application for grant of pre-arrest bail which had been dismissed by learned Additional Sessions Judge, Faridabad on 21.02.2025.



It is inter alia contended by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of co-accused which is not admissible in evidence. No recovery is to be effected from him. He is ready to join the investigation. He does not have criminal antecedents.

Notice of motion.

Learned State counsel who has advance notice of the petition submits that during the course of investigation, call details record between the petitioner and co-accused has been collected showing his complicity in the crime and seeks some time to file status report.

Adjourned to 03.04.2025.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482 (2) of Bharatiya Nagarik Suraksha Sanhita (for short BNSS), 2023.”

3. Status report filed on behalf of respondent-State be tagged at appropriate place.



4. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 05.03.2025 and he is not required for custodial interrogation.

5. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 28.02.2025, granting interim bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

03.04.2025

Jyoti-IV

(MANISHA BATRA)**JUDGE**

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