



CNR No: PHHC011318552026

2026:PHHC:126998



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CRM-M No.44819 of 2026

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

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**CRM-M No.44819 of 2026
Date of decision : 9.9.2026
Date of uploading : 9.9.2026**

Suresh @ Jaina

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Nikhil Vats, Advocate, for the petitioner

Ms. Priyanka Sadar, Senior DAG, Haryana

SUMEET GOEL, J. (ORAL)

1. On 13.8.2026, the following order was passed:

'Apprehending his arrest in FIR No.319 dated 23.07.2026, registered for offences punishable under Section 21(b) of the NDPS Act, 1985 (Section 27-A of the NDPS Act added later on), at Police Station City Fatehabad; the petitioner has preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.

Inter alia, contends that the petitioner is sought to be implicated into the FIR in question solely on the basis of a disclosure statement made by coaccused from whom the contraband in question has been allegedly recovered & the petitioner is willing to join investigation and cooperate therein. In order to buttress his arguments, learned counsel for the petitioner has relied upon the dicta of the judgments of the Hon'ble Supreme Court in 'Vijay Singh versus The State of Haryana' bearing Special Leave to Appeal (Crl.) No(s).1266/2023, 'State by (NCB) Bengaluru vs. Pallulabid Ahmad Arimutta & Anr' 2022(1) RCR (Criminal) 762, 'Tofan Singh vs. State of Tamil Nadu, AIR 2020 Supreme Court 5592, 'Smt. Najmunisha, Abdul Hamid Chandmiya @ Ladoo Babu



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vs. State of Gujrat, Narcotics Control Bureau' 2024 INSC 290 and 'Jugraj Singh Vs. State of Haryana bearing Special Leave to Appeal (Crl.) No.9190/2025.

Notice of motion.

On the strength of advance notice; Ms. Mahima Yashpal Singla, Senior DAG Haryana causes appearance and accepts notice on behalf of the respondent – State of Haryana.

Put up on 09.09.2026.

The petitioner is directed to appear before the Investigating Officer on 19.08.2026 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.'

2. Learned State counsel (on instructions) submits that pursuant to the order dated 13.8.2026, the petitioner has joined investigation and is no longer required for custodial interrogation.

3. In view of the stance of the State, especially the factum of the petitioner having joined investigation and he being arrayed as an accused on the basis of disclosure statement, this Court is inclined to confirm the order dated 13.8.2026, in light of the dicta of the judgment passed by this Court in **CRM-M-54032-2024 'Ashu Vs. State of Punjab'** and recent judgment of the Hon'ble Supreme Court passed in **'Jugraj Singh Vs. State of Punjab'** bearing **Special Leave to Appeal (Crl.) No.9190/2025**.

4. In view of the above, the instant petition is allowed. The interim order dated 13.8.2026, passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS.



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5. This order should not be treated as “blanket” order. It will not be read as granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

6. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS or upon showing any other sufficient cause.

7. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

9.9.2026

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Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No