



205

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-14737-2025
Decided on : 28.05.2025

Chhota Ram @ Chhota Ram Jaat . . . Petitioner(s)
Versus
State of Haryana . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Mohit Pilia, Advocate for
Mr. Raman Chawla, Advocate
for the petitioner(s).

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

SANJAY VASHISTH, J. (Oral)

1. In the present petition, on 19.03.2025, following order was
passed by this Court:-

“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
Chhota Ram @ Chhota Ram Jaat, aged about 51 years	312	07.05.2023	18/61/85 of NDPS Act, 1985	Hansi City	Hisar

2. Learned counsel for the petitioner, inter alia, contends that 1 kg and 20 grams of opium was recovered from the main accused, namely, Mahender, which led to the registration of the FIR on 07.05.2023.

Subsequent to the registration of the FIR on 08.05.2023, a disclosure statement was made by the accused Mahender, in which he named Jitender @ Jitu. However, Mahender later retracted from his initial statement, and on 10.05.2023, another disclosure statement was recorded by the police, in which Mahender implicated the petitioner, alleging that it was the petitioner who supplied the contraband to him, now recovered from him.

3. Counsel for the petitioner further submits that apart the alleged disclosure statement, there is no other admissible evidence available with the prosecution to create connectivity of the petitioner with the main accused namely Mahender.

Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

4. Notice of motion.



5. *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.*

6. *Adjourned to 19.05.2025.*

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

2. Learned counsel for the petitioner contends that in compliance of the order dated 19.03.2025, passed by this Court, the petitioner has already joined the investigation and is ready to co-operate with investigation agency, as and when same is required again.

3. On the other hand, learned State counsel, also confirms the said statement of joining the investigation and thus, submits that the custodial interrogation of the petitioner is not required, at this stage, for the purpose of investigation.

4. Heard.

5. Since the petitioner has already joined the investigation and his custodial interrogation is not even asked for, present petition is **allowed** and the ad-interim order dated 19.03.2025 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.

6. It is further clarified that in the event the petitioner fails to join or rejoin the investigation despite service of due notice by the Investigating



Officer, it shall be open to the prosecution to seek cancellation of the anticipatory bail.

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.

7. **Accordingly, petition stands disposed of.**

**(SANJAY VASHISTH)
JUDGE**

May 28, 2025

J.Ram

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>