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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-24548-2025****Date of Decision: 25.09.2025**

Dinesh Godara

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY**Present:** Mr. Vikas Bishnoi, Advocate
for the petitioner.Mr. Vikram Singh, AAG, Haryana with
ASI, Vinod Kumar, No.23/JJR.

AARADHNA SAWHNEY, J. (ORAL)

1. By virtue of the present petition under Section 482 BNSS, petitioner, who is co-accused in case bearing FIR No.47 dated 30.01.2025 registered under Section 18(c) of the NDPS Act, 1985, at Police Station City Hisar, District Hisar, has prayed for grant of pre-arrest bail.

2. On 06.05.2025, following order was passed by this Court:-

“Petitioner prays for grant of pre-arrest bail in FIR No.47 dated 30.01.2025 registered under Section 18(c) of the NDPS Act at Police Station City Hisar, District Hisar.

Learned counsel for the petitioner contends that in the present case, the police had apprehend the co-accused, namely, Ravin, while he was carrying 408 grams of opium in his conscious possession, which is non-commercial quantity. He further submits that even the petitioner has been falsely involved in the present case only on the basis of disclosure statement suffered by co-accused Ravin and the evidentiary value of such a statement is yet to be decided by the trial Court. Learned counsel also submits that the petitioner is a first offender and was never involved in any

criminal activity.

Notice of motion.

On the asking of Court, Mr. Rajinder Kumar Banku, DAG, Haryana accepts notice on behalf of the respondent-State.

List on 28.07.2025.

In the meantime, the petitioner is directed to join the investigation. In the event of arrest, he shall be released on interim bail to the satisfaction of arresting/investigating officer subject to the conditions envisaged under Section 438 (2) Cr.P.C./482 (2) of BNSS, 2023.”

3. Learned State counsel, on instructions from ASI, Vinod Kumar, No.23/JJR, submits that despite petitioner having joined the investigation, he is not fully cooperating with the investigating officer, in the sense that he (petitioner) has not deliberately disclosed the details of the truck-driver, from whom he had purchased the contraband.

4. Learned counsel for the petitioner opposes this submission and contends that petitioner, who was arrayed as accused on the basis of disclosure statement of the other accused apprehended at the spot, is not aware of the details of either vehicle or its driver etc.

5. On a query put forth by this Court as to whether call details records of the petitioner or his bank account statement etc. were taken into possession by the I.O. to find out as to whether he (P) was regularly in touch with the accused arrested at site or there were any financial transactions, however, no satisfactory question is forthcoming.

6. Keeping in view the fact that petitioner has joined the investigation as also fact that his past antecedents are clean, the contraband involved in the present case falls under the intermediate quantity, interim bail granted vide order dated 06.05.2025 is hereby confirmed, subject to conditions as envisaged under Section 482(2) BNSS. Further the petitioner is directed to

join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

- 7. The petition stands allowed.
- 8. Pending application, if any, also stands disposed of.

25.09.2025
Parveen kumar

(AARADHNA SAWHNEY)
JUDGE

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