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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Decided on: 24.02.2026

HARBHAJAN SINGH
.....Petitioner
Versus
STATE OF PUNJAB
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Ashish Soi, Advocate,
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J.

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 of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Harbhajan Singh	106	17.07.2025	18 of NDPS Act	Doraha, Khanna	Ludhiana

2. On 25.09.2025, following order was passed:-

“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 of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Harbhajan Singh	106	17.07.2025	18 of NDPS Act	Doraha	Khanna



2. *It is argued that petitioner, Harbhajan Singh, aged 52 years, has never been involved in any similar activity in the past. Although he is the registered owner of the Ashok Leyland truck bearing registration No. B11CU-8935, at the time of recovery, the vehicle was being driven by his son, Amrtipal Singh @ Amrit. The recovery of 3 kg of opium was made from his son, and the petitioner was neither present in the truck nor in the nearby area at that time.*

It is only after the arrest of the petitioner's son, Amrtipal Singh, and based on his disclosure statement name of the petitioner has been implicated, mainly because he is the registered owner of the truck. He has been made an accused on the allegation that he introduced his son(coaccused) to the supplier of the contraband in the State of Jharkhand.

Further, it is argued that such a disclosure statement is inadmissible under the Evidence Act, as the name of the supplier is not mentioned therein. Additionally, petitioner is willing to cooperate and join the investigation if protected from arrest by this Court. Therefore, the petitioner prays for the grant of anticipatory bail.

3. *Notice of motion .*

4. *On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

5. *Adjourned to 15.12.2025.*

6. *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, 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 be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

7. *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.”

3. Continuing his submissions, learned counsel for the petitioner contends that in compliance of the order dated 25.09.2025, passed by this Court, petitioner has joined the investigation, and has fully



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co-operated. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel on instructions from SI Sudhir Singh, confirms the said averment made by counsel for the petitioner of joining the investigation by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 25.09.2025, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

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.

7. Accordingly, petition stands disposed of.

However, present order would be subject to the submission of passport of the petitioner to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he would submit an affidavit, disclosing the fact that he does not possess any passport.

It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

(SANJAY VASHISTH)
JUDGE

24.02.2026

Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO