



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-63113 of 2025(O&M)

Date of Order:29.01.2026

Dhananjay

.Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Anil Kumar Malik, Advocate
for the petitioner.

Mr. Pawan Kumar Jhanda, Sr. DAG, Haryana

SANJAY VASHISTH, JUDGE

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
Dhananjay aged about 38 years	334	19.08.2023	17(B), 27, 61 of NDPS Act	13/17, Panipat	Panipat

2. On 11.11.2025, the following order was passed:-

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
Dhananjay	334	19.08.2023	17(B), 27, 61	13/17, Panipat	Panipat



aged about 38 years			of NDPS Act		
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2. Learned counsel for the petitioner, inter alia, contends that as per the allegations in FIR, recovery of 1 kg 30 grams of opium, which is non-commercial in nature, was effected from the main accused, namely Kamlesh Chaudhary, on 19.08.2023. Consequently, an offence under Section 17-B of the NDPS Act was registered against the said accused. During the course of investigation, it allegedly came to light that the said contraband had been purchased by Kamlesh Chaudhary from the present petitioner, for the purpose of further selling it to one Shiv Kumar, whose son had transferred an amount of Rs.1,00,000/- into the bank account of the main accused, Kamlesh Chaudhary. Counsel for the petitioner submits that petitioner's name has been dragged into the case solely on the basis of alleged disclosure statement made by Kamlesh Chaudhary, and there is no other substantive or corroborative evidence collected by the prosecution during investigation to link the petitioner with the alleged offence.

3. It is further argued that, as per the settled position of law, conviction cannot be based solely upon disclosure statement, as the same is inadmissible in evidence. Petitioner, aged 38 years, has a clean antecedent record and has never been found involved in any similar or other criminal activity. It is further submitted that petitioner is ready and willing to join the investigation and fully cooperate with the authorities, provided he is granted protection from arrest. Hence, counsel prays that petitioner be extended the concession of anticipatory bail 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 in the matter.

6. Adjourned to 29.01.2026.

7. 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.”

3. Continuing his submissions, learned counsel for the petitioner contends that in compliance of the order dated 11.11.2025, passed by this Court, petitioner has joined the investigation, and has fully co-operated. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel confirms the said averment made by counsel for the petitioner of joining the investigation on 03.01.2026 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 11.11.2025, 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.

January 29, 2026
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(SANJAY VASHISTH)
JUDGE

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