



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No.64773 of 2025
Date of Decision: 04.02.2026

Ghanshyam
.....Petitioner.
Versus
State of Haryana
.....Respondent.

CORAM: HON’BLE MR. JUSTICE SANJAY VASHISTH

Present:- Ms. Ishita Negi, Advocate for
Mr. Manish Soni, Advocate
for the petitioner.

Mr. Pawan Kumar Jhanda, Sr. DAG, Haryana.

SANJAY VASHISTH, J.(Oral)

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 here-under:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Ghanshyam	241	12.07.2024	20(b)(ii)(C) of NDPS Act & 3(5) of BNS, 2023 (Section 29 of NDPS Act added later-on)	City Sohna	Gurugram

2. On 17.11.2025, following order was passed by this Court:-

“1. Prayer in this petition, filed under Section 482 of the BNSS (wrongly mentioned as Section 528 of the BNSS, 2023, in the head-note of the petition) [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	FIR No.	Date	Section(s)	Police Station	District
Ghanshyam, aged about 35 years	241	12.07.2024	20(b)(ii)(C) of NDPS Act, and Section 3(5) of BNS, 2023 [Section 29 of the NDPS Act added later on]	City Sohna	Gurugram

2. Learned counsel for the petitioner, inter alia, contends that the FIR (supra) has been registered on the basis of secret information, and 100 packets of Cannabis (Ganja), total weighing 97.75 Kgs., is alleged to have been recovered from the rear seat and diggy of i10 car bearing No. HR29AG5789, which was being smuggled from Rajasthan by co-accused Anish, Zubair, Sahil Ahmad and Anil Sharma. Further submits in his disclosure statement, co-accused Anil Sharma named two persons, i.e. Amar Singh and Mahesh, who allegedly supplied the contraband. Lateron, after a gap of about 05 months, the name of the present petitioner was mentioned by said Mahesh in his disclosure statement, who was arrested on 02.01.2025. Learned counsel, thus, argues that the petitioner was neither named in the FIR, nor any recovery of contraband has been effected from him. The petitioner is ready and willing to join the investigation if protected from arrest. No other FIR has been registered or pending against the petitioner.

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

4. Notice of motion.

5. On advance notice, learned State counsel puts in appearance on behalf of the respondent – State, and seeks some time to respond to the submissions addressed by learned counsel opposite, after seeking instructions. And, in case of necessity, to file status report.

6. Adjourned to 04.02.2026.

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 be 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 17.11.2025, 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, on instructions, confirms the said averment made by learned counsel for the petitioner of joining the investigation on 17.11.2025, 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 17.11.2025, 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.**

Misc. application(s), if any, also stand disposed of.

February 04, 2026

Yag Dutt

**(SANJAY VASHISTH)
JUDGE**

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No