



CRM-M-48180-2025 (O&M)

**IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH**

S.No.101

CRM-M-48180-2025 (O&M)

Date of Decision : 1.9.2025

Dharmender Singh

... Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR**

Present: Mr. Parveen Kaushik, Advocate,  
for the petitioner.

Mr. Gauravdeep Singh Dhaliwal, AAG, Punjab

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**YASHVIR SINGH RATHOR, J. (Oral)**

By way of this petition, the petitioner is seeking anticipatory bail in FIR No.0189 dated 19.7.2025 registered under Sections 21(b) of NDPS Act at Police Station Sahlawas, District Jhajjar.

2. Brief facts of the prosecution case are that on 19.7.2025, ASI Bijender Singh accompanied by other police officials was present at the Bus Stand Birohad in connection with patrolling duty when he received secret information to the effect that Dharmender alias Sundla Baba son of Rohtash resident of village Birohad who indulges in sale of narcotic substance in the forest area near Maliyawas road and if a raid is conducted, he can be caught red handed. On this information, the police party reached the disclosed site after sending information under Section 42 of NDPS Act where accused



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Dharmender (petitioner) was found sitting on the corner of the road near the canal falling between village Birohad and Maliyawas but on seeing the police officials, he ran away towards the forest area after throwing a black polythene which he was holding in his hands and he could not be apprehended. On checking, the polythene was found to be containing 7.6 grams of Heroin and formal FIR under Section 21-B-61-85 of NDPS Act was registered and usual investigation was conducted. Apprehending arrest, the petitioner applied for anticipatory bail which has been rejected by the Court of learned Additional Sessions Judge.

3. Learned counsel for the petitioner argued that the petitioner has been falsely implicated in this case. He is ready to join investigation and to abide by the conditions that may be imposed by the Court. Nothing is to be recovered from his possession as alleged recovery has already been effected and benefit of anticipatory bail be extended in his favour.

4. On the other hand, learned State counsel opposed the bail and argued that the petitioner has committed a heinous offence. He was specifically mentioned in the FIR on the basis of secret information but he ran away on seeing the police party and custodial interrogation of the petitioner is, thus, required for further investigation and to elicit the source from where the contraband was arranged and he does not deserve the concession of anticipatory bail.

5. The petitioner was being apprehended on the basis of the secret information and when he saw the police party, he ran away in the forest area after throwing the polythene which contained 7.6 grams of Heroin. No doubt, quantity recovered is non-commercial and marginally above small



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quantity but custodial interrogation of the petitioner is essential to elicit the source from where the contraband was arranged. In case, the petitioner is interrogated under the protective umbrella of the order of ad-interim bail to be granted by this Court, he is not likely to answer the questions in right earnest and taking into consideration the gravity of the offence and the fact that the source of arranging the contraband is yet to be ascertained, the petitioner does not deserve he concession of anticipatory bail and the same is accordingly dismissed.

**( YASHVIR SINGH RATHOR )**  
**JUDGE**

September 1, 2025

Paritosh Kumar

Whether speaking/reasoned      Yes/No

Whether reportable                Yes/No