



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

274

CRM-M No.42164 of 2025 (O&M)
Reserved on :12.08.2025
Pronounced on: 13.08.2025

Rajat Verma

.....Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Argued by:Mr. P.S.Sekhon, Advocate for the petitioner.

Mr. Rohit Bansal, Sr. DAG Punjab.

SURYA PARTAP SINGH, J. (Oral):

1. The instant petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for anticipatory bail, in a case arising out of FIR No.136 dated 23.05.2025, Police Station Anti Narcotics Force (ANTF), SAS Nagar.

2. The petitioner is apprehending arrest in the abovementioned case, wherein FIR has been lodged for the commission of offence punishable under Sections 22 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985. The abovesaid FIR came into being on the statement of ASI Harvinder Singh who informed that he had received an input that the petitioner and his accomplice Puneet Mittal were involved in an illegal activity of selling intoxicant tablets and that from their flat, wherein they are staying as a tenant, recovery of huge quantity of



Alprazolam tablets may take place. In view of above mentioned inputs, the raid was executed and on the spot accomplice of the petitioner, namely Puneet Mittal, was present. According to prosecution in search of the above mentioned flat 4800 tablets of alprazolm were recovered.

3. Heard.

4. It has been argued by learned counsel for the petitioner that the petitioner is innocent as he was simply an employee on the medical store owned by Rajat Verma (the co-accused), from whose flat recovery had taken place. While referring to the salary-slips of the petitioner, the licence of the medical store and bills with regard to sale and purchase of medicines, the learned counsel for the petitioner argues that being a *bona fide* employee of a medical store no criminality can be attached to the actions of petitioner and that he is entitled to the benefit of bail.

5. The learned counsel for the petitioner has further argued that there is no legally admissible evidence against the petitioner and that he is being involved merely on the basis of disclosure statement of his co-accused. As per learned counsel for the petitioner, the petitioner was not found in actual/conscious possession of the contraband, as neither he was a tenant in the flat in question nor was present at the time of recovery. According to learned counsel for the petitioner any confessional statement of the co-accused, recorded by the police when he was in custody, is not admissible in evidence.

6. The learned counsel for the petitioner, in support of his



contentions, has referred to the law laid down by the Hon'ble Supreme Court of India in the case of **Tofan Singh Vs. State of Tamil Nadu, 2020 AIR (SC) 5592**, and prayed for the benefit of anticipatory bail to the petitioner.

7. While controverting the above mentioned arguments, learned State counsel argues that in the FIR itself the name of the petitioner has cropped up and that in view of peculiar facts of the present case, custodial interrogation of the petitioner is necessary to ascertain/fix the role played by the petitioner in the commission of crime. According to learned State counsel it is a valuable right of the Investigating Agency to interrogate the petitioner and if the abovesaid right is denied to the investigating agency, in the instant case, the investigation of this case may not take a proper headway. In view of above, the learned State counsel has argued that the present petition deserves dismissal.

8. The record perused carefully.

9. A perusal of record shows that for the decision of present application for anticipatory bail, followings are the relevant factors which need consideration: -

- (1) that the recovered contraband, which is subject matter of the instant case, falls within the ambit of commercial quantity;
- (2) that name of the petitioner has cropped up at the very initial stage of the case, i.e. when a tip-off was given to the police that there may be recovery of contraband;



(3) that as per inputs to the police the flat was let out to the petitioner and his accomplice Puneet Mittal.

10. The remedy of anticipatory bail is extra ordinary remedy and in the instant case no extraordinary circumstances exists which may lead to a conclusion that the petitioner is a victim of any political vendetta, or that without any basis he is being asked to join the investigation of present case.

11. In the instant case, if the valuable rights of the Investigating agency, to interrogate the suspect and fix his responsibility with regard to commission of offence, are denied the investigation may not take a proper headway. Such a denial will adversely affect the outcome of investigation.

12. Taking into consideration the gravity of offence, which is reflected from the heavy recovery of contraband, and the above discussed facts and circumstances of the case, but without commenting anything on the merits of the case, the instant petition is held to be devoid of merit. Hence, the same is hereby dismissed, accordingly.

(SURYA PARTAP SINGH)
JUDGE

Pronounced on:13.08.2025

Manoj Bhutani

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