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**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

**CRM-M-20669-2025 (O&M)
Reserved on : 22.05.2025
Pronounced on : 26.05.2025**

Mohit Bansal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Amaninder Singh Sekhon, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J.

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*), is for grant of anticipatory bail to the petitioner in FIR No. 54 dated 27.03.2025, registered under Section 318(4) of Bharatiya Nyaya Sanhita, 2023 and Section 22 of the NDPS Act, 1985 at Police Station Sadar Bathinda.

2. Brief facts of the case relevant for the disposal of the present petition are that on 27.03.2025, an information was received that a person was fraudulently running a de-addiction centre in village Buladewala and if a raid would be conducted, then narcotic substance could be recovered. Believing the information to be reliable, a police party headed by Inspector Jagdeep Singh reached at M/s New Way Drug Counselling and Rehabilitation Centre Welfare Society, Buladewala, where co-accused Karaj Singh was found to be incharge

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of the said centre. However, he could not produce any license or permit to run the same. It was found that total 38 patients were admitted in the said centre. During search, 50 tablets of Lorazepam and 980 loose tablets were recovered. Upon interrogation, co-accused Karaj Sing disclosed that the property was owned by the present petitioner. On the basis of the same, the petitioner has been nominated in this case as an accused. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail before the Court of learned Additional Sessions Judge, Bathinda but the same had been dismissed, vide order dated 07.04.2025.

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. In fact, the property, on which the said centre was being run, was owned by Manjit Kaur, who is real sister of co-accused Karaj Singh, and the petitioner and Karaj Singh had taken that property on rent for running a de-addiction and rehabilitation centre. The petitioner had in fact applied for issuance of necessary license for running said centre but he could not get the same from the authorities concerned, vide Annexure P-5, which is a copy of letter written by the authority concerned to the petitioner. Hence, he had handed over the possession of the property to co-accused Karaj Singh and Manjit Kaur in June, 2023. He was not at all aware about the activities being done by them on the said property. He had settled his accounts with co-accused and was not responsible for their activities. There is nothing on record to connect the petitioner with the subject crime. The petitioner is ready to join the investigation. No useful purpose would be served by detaining him in custody. Therefore, it is urged that the petition deserves to be allowed.

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4. Status report has been filed by the respondent-State. It is submitted therein and learned Assistant Advocate General, Punjab has argued that the petitioner is not entitled to get benefit of anticipatory bail as there are serious allegations against him. The petitioner along with co-accused, on the pretext of running a de-addiction, that too without any valid license, was giving intoxicant drugs to several persons. His custodial interrogation is must for proper investigation in the matter as well as for effecting further recovery of contraband, if any. It is, thus, argued that the petition is liable to be dismissed.

5. I have learned counsel for the parties at considerable length and have also perused the material placed on record.

6. The petitioner has been nominated in this case on the basis of the disclosure made by co-accused Karaj Singh to the effect that the petitioner had taken on rent the aforesaid property from Manjit Kaur and was running a de-addiction centre along with other co-accused. The petitioner has not been issued any license or permit from any competent authority to run such centre. This fact is even admitted by the petitioner. The petitioner has also admitted the factum of taking the property on rent along with co-accused Karaj Singh. The plea taken by the petitioner that since he had not been granted the license to run the de-addiction centre, he had handed over the possession of the property to co-accused Karaj Singh is a matter of evidence and the same cannot be appreciated at this stage. The allegations against the petitioner are quite serious. Recovery of several intoxicant tablets/capsules has been effected. No sparing or extraordinary circumstance has been made out for

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grant of anticipatory bail to the petitioner. Rather, his custodial interrogation is required for knowing the source of supply of intoxicant drugs and also for effecting further recovery, if any. The well settled proposition of law is that while considering an application for grant of anticipatory bail, the Court has to consider the nature of the offence, the role of the person, the likelihood of his influencing the course of investigation or tampering with evidence including intimidating witnesses. The powers under Section 482 of BNSS are to be exercised in extraordinary and sparing circumstances. More so, custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order under Section 482 of BNSS. Many useful information can be disinterred during custodial interrogation. Keeping in view the discussion as made above, I am of the considered opinion that no extraordinary or sparing circumstance entitling the petitioner to seek concession of pre-arrest bail has been made out. Accordingly, finding no merit, the petition is dismissed.

7. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

26.05.2025

Waseem Ansari

**(MANISHA BATRA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No