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

231-2

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Date of decision: 29.07.2025

Sukhneet Singh

...Petitioner

V/s

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. J.S. Thakur, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG Haryana.

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**SUMEET GOEL, J.**

1. Present petition has been filed on behalf of the petitioner seeking grant of anticipatory/pre-arrest bail under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter to be referred as 'BNSS') in FIR No.270 dated 03.09.2024 registered for offences punishable under Sections 22(c), 27-A and 29 of the NDPS Act at Police Station Sadar, Tohana, District Fatehabad.

2. The gravamen of the FIR in question is that on 03.09.2024, a police team led by ASI Surya Kant, acting on credible secret information, apprehended co-accused Vinod @ Vilayati, son of Mehender Singh. In the presence of Sh. Prince Garg, Naib Tehsildar, Fatehabad, 152 strips of Alprazolam (15 tablets each, totaling 2280 tablets) weighing 512 grams; 50 strips of Alprazolam (10 tablets each, totaling 500 tablets) weighing 107 grams; and 75 strips of Tramadol (10 tablets each, totaling 750 tablets) weighing 444 grams quantities of contraband were recovered from his possession. The recovered substances were seized in accordance with the legal procedure. Consequently, a case was registered. During the course of



investigation, the apprehended accused namely Vinod @ Vilayati was formally arrested and in his disclosure statement, he not only admitted his own involvement in the offence but also revealed that the recovered contraband had been procured from co-accused Vinod Kumar @ Bondi. Subsequently, during the course of investigation, on 14.10.2024, the name of the petitioner surfaced on the basis of disclosure statement of co-accused Mandeep @ Gholu.

3. Learned counsel for the petitioner has iterated that the petitioner has been falsely implicated in the present case solely on the basis of the disclosure statement made by co-accused Mandeep @ Gholu while in custody, which is inadmissible in evidence. Learned counsel has further iterated that no recovery, either of any narcotic substance or other incriminating material, has been effected from the petitioner. Furthermore, there is no independent corroborative evidence linking the petitioner to the alleged offence and his name does not find mention in the FIR. The only basis for implicating the petitioner is the unsubstantiated disclosure statement of the co-accused. It is further argued by learned counsel that the petitioner is a licensed distributor, operating under the name Bright Life Surety, which is engaged in the wholesale trade of pharmaceutical products. It has been further contended by the learned counsel that the petitioner has already lodged a DDR at Police Station Cantt., Dehradun, reporting theft of certain medicines during the process of relocating his office situated at Dehradun, and hence, the alleged recovery of contraband may pertain to the stolen medicines reported in the DDR. It is further submitted that the prosecution has failed to comply with the mandatory provisions of Section



42 of the NDPS Act. Learned counsel further asserts that nothing has been recovered from the possession of the petitioner and no further recovery is to be effected at his instance and thus, his custodial interrogation is neither warranted nor justified. Learned counsel further asserts that the petitioner has no intention of evading the process of law and undertakes to cooperate fully with the investigation. It is next submitted by the learned counsel that the petitioner is ready to join the investigation and hence no useful purpose would be served by sending him behind bars. On the basis of the aforementioned submissions, the grant of the instant petition is entreated for.

4. *Conversely*, learned State counsel has opposed the grant of anticipatory bail to the petitioner by arguing that the allegations raised against the petitioner are serious in nature. According to learned State counsel, the petitioner is actively involved in the illicit trade of narcotic substances and has an active role in the supply of the contraband in question. Referring to the status report dated 27.05.2025, learned State counsel submits that the Call Detail Records (CDRs) of the petitioner reveal that he was in regular contact with co-accused Mandeep. Furthermore, location data establishes that co-accused Mandeep was present in Ludhiana on 10.08.2024 thereby corroborating the nexus between the petitioner and the co-accused. According to learned State counsel, the petitioner is involved in two other cases under the NDPS Act, in which he is named as an accused for allegedly supplying Tramadol tablets and his role is consistently reflected as that of a primary supplier of the contraband. Furthermore, the custodial interrogation of the petitioner is stated to be essential for the purpose of unearthing the complete supply chain of the narcotic substances, for effecting recovery of



the contraband and for identifying and recovering the vehicle allegedly used in the commission of the offence. Granting bail to the petitioner at this stage may seriously hamper the ongoing investigation and embolden the petitioner to tamper with evidence or influence key witnesses, many of whom may be susceptible to pressure or intimidation. Given the gravity of the offence, the larger public interest involved in curbing the menace of drug trafficking, and the potential threat to the fair conduct of the trial, it is respectfully submitted that the petitioner does not deserve the concession of anticipatory bail and it is prayed that the present petition deserves to be dismissed.

5. I have heard the learned counsel for the rival parties and have gone through the available record of the case.

6. As per the case put forth in the FIR in question, indubitably, serious allegations have been levelled against the petitioner. It emerges from the record that on 03.09.2024, acting on credible secret information, co-accused Vinod @ Vilayati was apprehended by the police and substantial quantities of Alprazolam and Tramadol tablets were recovered from his possession. During investigation, co-accused Vinod @ Vilayati disclosed that the contraband was supplied by co-accused Vinod Kumar @ Bondi. Subsequently, on 14.10.2024, the name of the petitioner emerged based on the disclosure statement of co-accused Mandeep @ Gholu. At this stage, the alleged involvement of the petitioner founded principally on the disclosure statements of co-accused coupled with the fact that the investigating agency has also gathered corroborative documentary evidence to substantiate the case of the prosecution. In addition to the disclosure statement made by the co-accused, the prosecution has also referred to the verification of the batch



number marked on the recovered contraband i.e. Tramadol tablets and the records obtained from Ampure Pharmaceutical LLP, located at Plot No.48, RK Purani Colony, Industrial Area Bahadrabad, Haridwar, Uttarkhand which confirmed that the said batch was sold on 08.06.2024 to Bright Life Surety, situated in Anarwala, Dehradun, which is owned and operated by the petitioner (herein). Furthermore, the Call Detail Records (CDRs) of the petitioner reveal consistent communication with co-accused Mandeep which, according to the investigating agency, substantiates the association between the petitioner and the co-accused, thereby lending *prima facie* credence to the allegation of the involvement of the petitioner. Additionally, the petitioner is not a first time offender, rather, he is found to be named as an accused in two other cases under the NDPS Act wherein he is alleged to have played a similar role as the supplier of Tramadol tablets and the anticipatory bail in both these cases have already been dismissed by this Court vide orders dated 06.11.2024 and 14.07.2025, respectively. These multiple instances reflect a recurring pattern of conduct on part of the petitioner and his deliberate and conscious involvement as supplier of the contraband.

7. The petitioner has been implicated for the commission of offences punishable under Section 27-A of the NDPS Act with specific allegations of facilitating the financing as well as illicit trafficking of contraband substances. Furthermore, as per the prosecution, the petitioner played a pivotal role in the supply chain, having allegedly supplied a portion of the recovered contraband to co-accused Mandeep @ Gholu. The said contraband was further routed through co-accused Vinod Kumar @ Bondi,



who ultimately delivered it to co-accused Vinod @ Vilayati which led to the recovery of the contraband in question.

The investigation so far indicates the involvement of the petitioner in a well-organized network, engaged in the illegal distribution of psychotropic substances. The nature and gravity of the offence, coupled with the evidentiary material on record, justify further custodial interrogation to unravel the larger conspiracy and identify the other potential co-conspirators.

8. The nature of the allegations, coupled with the possibility of the petitioner being part of a larger nexus engaged in the unlawful trade of narcotic substances, raises serious concerns that cannot be brushed aside at this nascent stage of the investigation. The apprehension expressed by the prosecution that the petitioner, if released on bail, may abscond or attempt to influence witnesses who may be vulnerable to coercion does not appear to be without basis. Given the seriousness of the offence, the stage of investigation, the possibility of tampering with evidence or obstructing justice, and the overarching public interest in deterring the menace of narcotic drug trafficking, this Court is of the view that the petitioner does not merit the concession of bail at this juncture. Moreover, in view of the serious allegations, the custodial interrogation of the petitioner is indispensable and crucial for unearthing the broader conspiracy and identifying the other potential accomplices that may be within the exclusive knowledge or possession of the petitioner. Moreover, the grant of anticipatory bail at this premature stage may seriously prejudice the ongoing



investigation and potentially result in tampering with evidence or influencing material witnesses.

9. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also for reaching impact of such alleged iniquities on society. A profitable reference in this regard is being made to the dicta passed by the Hon'ble Supreme Court titled as *State v. Anil Sharma, (1997) 7 SCC 187 : 1997 SCC (Cri) 1039*, the Supreme Court held as under, relevant whereof reads as under:

*“6. We find force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-enconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third-degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders.”*

At this stage, there is no material on record to hold that *prima facie* case is not made out against the petitioner. The material which has come on record and preliminary investigation, appear to establish a reasonable basis for the accusation of the petitioner. Thus, it is not



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appropriate to grant anticipatory bail to the petitioner, as it would necessarily cause impediment in effective investigation.

10. Accordingly, this Court is of the considered opinion that the petitioner does not deserve the concession of anticipatory bail in the factual milieu of the case in hand. Moreover, custodial interrogation of the petitioner is necessary for an effective investigation & to unravel the truth. The petition is, thus, devoid of merits and is hereby dismissed.

11. Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

12. Pending application(s), if any, shall also stand disposed off.

**(SUMEET GOEL)**  
**JUDGE**

July 29, 2025

*Ajay*

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No