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

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**CRM-M No.53295 of 2025
Date of decision: 22.09.2025**

Babli

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Satnam Singh Gill, Advocate,
for the petitioner.

Mr. Apoorv Garg, Addl. AG, Haryana,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short "BNSS") seeking anticipatory bail in the FIR mentioned below:-

| FIR No. | Dated | Police Station | Sections |
|----------------|--------------|----------------------------------|--|
| 224 | 11.08.2025 | Baldev Singh, District Ambala | 22(c) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') (27A and 29 of NDPS Act added later on) |

2. As per the allegations, on 11.08.2025, on receipt of a secret

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information to the effect that accused Rocky was engaged in sale of intoxicating capsules and on that particular day also, he was going towards motor market, Ambala city for sale of the intoxicants and could be apprehended with the same, a raiding party was formed which reached at the informed place and apprehended the accused Rocky. Recovery of 52 strips of intoxicating capsules make NRX Acetaminophen, Tramadol Hydrochloride Cicyclomine Hydrochloride Capsules was effected from him which was containing total 1248 intoxicating capsules and weighed to be 739.44 grams. The above named accused was formally arrested. On interrogation, he suffered disclosure statement nominating the co-accused Rahul as supplier of the contraband. In his second disclosure statement, he disclosed that the name of the petitioner by saying that the petitioner who was his sister had been supplying intoxicating capsules and he had taken the same from her. The petitioner was as such nominated as additional accused. Apprehending her arrest, she moved an application for grant of pre arrest bail which was dismissed by the Court of learned Additional Sessions Judge, Ambala vide order dated 08.09.2025.

3. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case on the basis of disclosure statement of the co-accused which cannot be considered to be admissible in evidence. The recovery already stands effected. Infact, she had performed marriage against the wishes of her family with one Gopal. Her family including the

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co-accused who is her brother was offended with her due to that reason and that is why they have falsely implicated her in this case. Her custodial interrogation would not serve any useful purpose. She is ready to join the investigation. No recovery is to be effected from her. It is, therefore, urged that she deserves to be released on bail.

4. Notice of motion.

5. Mr. Apoorv Garg, Addl. AG, Haryana has advance notice of the petition and is ready to argue the matter. It is submitted by him that there are serious allegations against the petitioner. Her custodial interrogation is required for conducting proper and thorough investigation in the matter. No exceptional or extraordinary circumstance for grant of pre arrest bail is made out. There is history of 149 calls having being exchanged between the petitioner and the co-accused Rocky who show her complicity in the crime. Rigors of Section 37 of NDPS Act are attracted. It is, therefore, urged that she does not deserve to be extended benefit of pre arrest bail.

6. This Court has considered the rival submissions.

7. The petitioner is alleged to have supplied commercial quantity of contraband i.e. the intoxicating tablet of Tramadol Hydrochloride to her brother i.e. co-accused Rocky. Though, she is claiming that relations between her family members including the co-accused Rocky and herself were strained but there is history of 149 calls having being exchanged

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between them. The case is at its nascent stage. For unearthing the truth and for conducting thorough investigation, custodial interrogation of the petitioner is must. In case, the same is denied to the investigation agency, that shall leave many glaring loopholes and gaps, adversely affecting the investigation. Accordingly, finding no reason to allow the petition, the same is dismissed.

8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANISHA BATRA)
JUDGE

22.09.2025
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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No