



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

104

CRM-M-52990-2025

Date of decision: 24<sup>th</sup> September, 2025

Ajay Singh

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Vikas Bishnoi, Advocate for the petitioner.

Mr. Apporv Garg, Additional Advocate General, Haryana.

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**MANISHA BATRA, J (ORAL):-**

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 230 dated 14.07.2025 registered under Sections 21(B) of Narcotic Drugs and Psychotropic Substance Act, 1985 (for short 'NDPS') (Section 27-A of NDPS added later on) at Police Station Tosham District Bhiwani.

2. As per the allegations, on 14.07.2025, on receipt of a secret information, the accused Sourav @ Jeetu and Monu were apprehended, while they were riding a two wheeler in the area of Police Station Tosham. On conducting search, 7.82 grams of contraband was recovered from a polythene kept in the pants of accused Monu. The same was taken into possession. The above named accused were formally arrested. They were interrogated and suffered disclosure statements on the basis of which the



petitioner and the co-accused were nominated as accused. Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail before the learned Special Judge, Bhiwani, which was dismissed vide order dated 12.02.2025.

3. It is argued by the learned counsel for the petitioner that he 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. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, therefore, urged that he deserves to be extended benefit of pre-arrest bail.

4. Notice of motion.

5. Learned State counsel has advance notice of the petition and is ready to argue the matter. It is argued by him that the petitioner has criminal antecedents. The call details records between him and the co-accused have been collected which show his presence at the spot on the day of incident. For conducting thorough investigation in the matter and to know the source of the contraband, the custodial interrogation of the petitioner is required. Therefore, it is urged that the petition does not deserve to be allowed.

6. This Court has heard learned counsel for the parties at considerable length.

7. The petitioner is alleged to have supplied the contraband to the co-accused for a sum of Rs. 10,000/-. Call detail record has been collected by the investigating agency which *prima facie* shows the complicity of the petitioner in the crime. For conducting proper and thorough investigation in the matter, the custodial interrogation of the petitioner is required. In case



his custodial interrogation is denied to the Investigating Agency, that will leave many glaring loopholes and gaps thereby adversely affecting the investigation. The powers under Section 482 of BNSS are to be exercised in extraordinary and sparing circumstances. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

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

9. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

**[MANISHA BATRA]**  
**JUDGE**

**24<sup>th</sup> September, 2025**

*Parveen Sharma*

1. *Whether speaking/ reasoned* : *Yes / No*

2. *Whether reportable* : *Yes / No*