



103

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

**CRM-M-20577-2025 (O&M)
Date of decision: 08.05.2025**

Rajveer

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. D.P.S. Joura, Advocate
for the petitioner.

Ms. Geeta Sharma, DAG, Haryana.

HARPREET SINGH BRAR, J. (ORAL)

1. Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.21 dated 14.01.2023 under Sections 21(c), 27A & 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Adampur, District Hisar.

2. Succinctly, the facts of the case are that on 14.01.2023, when ASI Shakti Singh along with other police officials was present at Bus Stand, Village Kohli, a secret information was received by him that one Ravinder @ Bhola is



indulged in the business of selling the heroin in Adampur area and he is present near Bhadu Gas Agency, Kherampur Road, Sadalpur to sell heroin to someone and if a raid is conducted, he would be apprehended with huge quantity of heroin. Finding said information reliable, the requisite formalities prescribed under the provisions of NDPS Act were completed and aforesaid Ravinder @ Bholu was apprehended and recovery of 500 grams of heroin was effected from his possession. Hence, the FIR (*supra*).

3. Learned counsel for the petitioner, *inter alia*, contends that the petitioner is not named in the FIR (*supra*) and he has been implicated only on the basis of disclosure statement made by co-accused during his custodial interrogation, which has no evidentiary value in the eyes of law, as the same is hit by Sections 26 & 27 of Indian Evidence Act, 1872 [*now Section 23(2) of Bharatiya Sakshya Adhinyam, 2023 (for short 'BSA') and proviso to Section 23 of BSA*]. Apart from aforesaid disclosure statement, there is no other concrete evidence against the petitioner. Further, admittedly, the alleged contraband was recovered from the exclusive and conscious possession of co-accused and nothing has been recovered from the petitioner. As such, the petitioner is entitled to anticipatory bail.

4. In compliance of the order dated 21.04.2025, status report by way of affidavit of Shashank Kumar Sawan, IPS, Superintendent of Police, Hisar has been filed, which is taken on record and copy thereof has been supplied to learned counsel for the petitioner.



5. Learned State counsel, while referring to the aforementioned status report, opposes the prayer for grant of anticipatory bail to the petitioner on the ground that the petitioner is actively involved in drug trafficking. He is habitual offender and is having two more FIRs, out of which, one case is registered under NDPS Act i.e. FIR No.40 dated 31.01.2020 under Section 21 of NDPS Act, Police Station Rania, Sirsa and another FIR No.753 dated 14.12.2023 is registered under Sections 15(2) & 15(3) of Indian Medical Council Act, 1956 and Section 188 of the Indian Penal Code, 1860, at Police Station Rania, Sirsa.

6. Having heard learned counsel for the parties and after perusing the record of the case with their able assistance, it transpires that the petitioner is indulged in drug trafficking and is involved in two more cases, out of which, one FIR is registered under the provisions of NDPS Act. Further, the drug trafficking is a heinous offence, which has disastrous social ramifications. As such, to unearth the supply chain and *modus operandi* of the petitioner as well as to take the investigation to its logical conclusion, his custodial interrogation is imperative.

7. Keeping in view the facts and circumstances of the case and considering the antecedents of the petitioner, this Court finds no ground to grant him the concession of anticipatory bail. Accordingly, present petition is dismissed.

8. However, nothing observed hereinabove shall be construed as



expression of opinion of this Court on merits of the case and learned trial Court shall decide the case on its own merits without being prejudiced by the observations of this Court.

08.05.2025

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**[HARPREET SINGH BRAR]
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No