



CRM-M-42705 of 2025

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

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CRM-M-42705 of 2025
Date of Decision: 13.08.2025

Shokken @ Kala

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Davneet Sangwan, Advocate
for the petitioner.

Mr. Neeraj Sheoran, Sr. DAG, Haryana.

RUPINDERJIT CHAHAL, J (ORAL)

1. The petitioner has filed the present petition under Section 482 of the BNSS, 2023 with a prayer to grant anticipatory bail to him in case FIR No.340 dated 05.07.2025 registered under Section 21 and 27-A of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Krishna Gate, District Kurukshetra.

2. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and as per the case of the prosecution, on 05.07.2025, ASI Pardeep Singh along with other police officials were present on their patrolling duty and after receiving of a secret information, he raided and apprehended one co-accused, namely, Ajay @ Oppo who was found in possession of 276 gm heroin. The petitioner was not named in the FIR and no recovery is to be effected from him. He was nominated as an accused on the basis of disclosure statement made by the



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said co-accused Ajay @ Oppo. Apart from the disclosure statement, there is no other evidence to connect the petitioner with the offence in question and it is a trite law that disclosure statement of the co-accused during his custodial interrogation is not admissible. He further contends that the petitioner is ready and willing to join the investigation as and when called upon to do so by the investigating agency.

3. After registration of the FIR, investigation proceedings have been initiated and are under way. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail which has been dismissed by the Court of learned Additional Sessions Judge, Kurukshetra, vide order dated 24.07.2025.

4. Notice of motion.

5. Learned State counsel who has appeared on advance notice of the petition, has filed the status report, which is taken on record. He has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the allegations levelled against the petitioner are serious in nature. He further submits that the contraband recovered from co-accused Ajay @ Oppo falls under the category of commercial quantity. In the present case, though the petitioner has been named in the disclosure statement made by the main accused i.e. Ajay @ Oppo but the petitioner is having bank transactions with the said co-accused Ajay @ Oppo and on asking of the petitioner, the said co-accused had deposited an amount of Rs.3 lakh in bank account used by the petitioner. The said co-accused has also given an amount of Rs.1 lakh to the petitioner in cash. The petitioner was also in touch with the said co-accused on whatsapp calls and mobile phone of the said co-accused Ajay @ Oppo is deposited at CFL, Panchkula

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for examination and report in this regard is awaited. The matter is under investigation and to crack the nexus of drug peddlers, the custodial interrogation of the petitioner is required for proper and thorough investigation in the matter. Hence, he prays for dismissal of the petition.

6. Keeping in view the specific allegations and peculiar circumstances regarding involvement of the petitioner in the present case, no ground for granting anticipatory bail to the petitioner is made out. The investigation is at the nascent stage, the custodial interrogation of the petitioner is imperative to unearth the truth and for taking the investigation to its logical end. Denial of custodial interrogation of petitioner will adversely effect the investigation in the present case.

7. In view the discussion as made above, but without commenting on the merits of the case, I am of the considered opinion that the petition does not deserve to be allowed. Hence, the same is dismissed.

(RUPINDERJIT CHAHAL)
JUDGE

13.08.2025*D.Bansal*

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No