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

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**CRM-M-15227-2025 (O&M)
Date of decision: 09.04.2025**

Manjeet

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Parveen Kumar Rohilla, Advocate
for the petitioner.

Mr. Apoorv Garg, Senior DAG, Haryana.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*), is for grant of anticipatory bail to the petitioner in FIR No. 0048 dated 26.01.2025, registered under Section 22(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Gharaunda, District Karnal.

2. Brief facts of the case relevant for the disposal of the present petition are that on 26.01.2025, one Ved Pal informed the police party that a white colour Verna car was standing abandoned near a rice mill. The police party reached at the informed place and found that a Verna car bearing registration number PB-70-H-7686 was parked there with its key inside. On conducting search of the car, recovery of 29400 tablets of Lomotil weighing 02 kgs. 645 grams and 4920 tablets of Tramadol HCL weighing 03 kgs. 247

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grams was effected from the same. During the course of investigation, co-accused Ratan Singh @ Rinku was arrested on 28.01.2025, who, while admitting his involvement in drugs peddling, disclosed that previously, he used to purchase intoxicating drugs from one Sonu but later on, he started purchasing the drugs from the present petitioner, as he was selling the same at a cheaper price. He also disclosed that for receiving consignment of drugs, he used to come to Gharaunda bus stand in the aforesaid car, which belonged to his friend Sukhwinder @ Goga and on the fateful day, he along with Sukhwinder @ Goga and one Dalbir Singh had come to Gharaunda in the aforesaid car. They met present petitioner over there, who supplied them intoxicating drugs. When they left after receiving the drugs from the present petitioner, after some time, they alighted from the car for urinating but in the meantime, a police car came there, on which, they ran away abandoning the car. On the basis of this disclosure statement, the petitioner has been nominated in this case as an accused. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail before the Court of learned Additional Sessions Judge, Karnal but the same had been dismissed, vide order dated 06.03.2025.

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. He was not found at the spot and has been involved in this case on the basis of the disclosure statement made by the co-accused, which is not admissible in evidence. He is not involved in any other case. The petitioner is ready to join the investigation. No useful purpose would be served by detaining him in custody. Therefore, it is urged that the petition deserves to be allowed.

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4. Status report has been filed by the respondent-State. It is submitted therein and learned State counsel has argued that there are serious allegations against the petitioner. He used to supply intoxicating drugs to co-accused. A huge recovery of intoxicating drugs has been effected in this case. Custodial interrogation of the petitioner is required for proper investigation in the matter as well as for effecting further recovery of contraband, if any. No sparing or extraordinary circumstance has been made out for grant of anticipatory bail. It is, thus, urged that the petition is liable to be dismissed.

5. I have learned counsel for the parties at considerable length and have also perused the material placed on record.

6. The petitioner has been nominated in this case on the basis of the disclosure made by co-accused Ratan Singh @ Rinku. A huge recovery of intoxicating drugs has been effected in this case. The aforesaid car has been found to be registered in the name of co-accused Sukhwinder @ Goga, who was also nominated by co-accused Ratan Singh @ Rinku. The allegations against the petitioner are that he along with co-accused Ratan Singh @ Rinku and Sukhwinder Singh @ Goga was indulged in the business of sale/purchase of intoxicating drugs. The petitioner used to supply them such drugs. The allegations against him are quite serious. His custodial interrogation is required for thorough investigation in the matter and also for effecting further recovery and bursting the nexus of the accused persons. The well settled proposition of law is that while considering an application for grant of anticipatory bail, the Court has to consider the nature of the offence, the role of the person, the likelihood of his influencing the course of investigation or tampering with

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evidence including intimidating witnesses. No extraordinary or sparing circumstance in favour of the petitioner. The powers under Section 482 of BNSS are to be exercised in extraordinary and sparing circumstances. More so, custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order under Section 482 of BNSS. Many useful information can be disinterred during custodial interrogation. Keeping in view the discussion as made above, I am of the considered opinion that no extraordinary or sparing circumstance entitling the petitioner to seek concession of pre-arrest bail has been made out rather his custodial interrogation is required for thorough investigation in the matter by the police. Accordingly, finding no merit, the petition is dismissed.

7. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

09.04.2025*Waseem Ansari***(MANISHA BATRA)
JUDGE***Whether speaking/reasoned**Yes/No**Whether reportable**Yes/No*