



CRM-M-41112-2025

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

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**CRM-M-41112-2025  
Date of Decision: 31.07.2025**

**Abhay Kohli****.....Petitioner****Versus****State of Punjab****.....Respondent****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Amit Arora, Advocate for the petitioner.

Mr. Neeraj Madaan, SR. DAG, Punjab.

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**SANJAY VASHISTH, J.**

1. Prayer in this first petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) is for grant of anticipatory bail to the petitioner in case FIR No.90 dated 20.06.2025 registered under Sections 21(b), 25, 27(a) of Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS) (offence under Section 29 of NDPS Act added later on) at Police Station Sultanwind, District Police Commissionerate Amritsar.

2. As per case of the prosecution, co-accused Damanpreet Singh @ Ansh and Harpinder Singh @ Happy Baljinder Singh @ Gagan, while riding one Honda Activa Scooter bearing No. PB02 FA 4023, were apprehended with plastic bag containing 60.70 gms of Heroin. Both the apprehended accused disclosed before the police that the scooter (Honda Active) belongs to Abhay Kohli (petitioner herein) under whom they were working and also that the said contraband has been delivered to them by the petitioner.



3. Counsel contends that petitioner being not the actual accused from whom contraband has been recovered rather, same already having been recovered, may not be required for any meaningful custodial purpose. Thus, prays for grant for anticipatory bail.

4. Learned Sr. DAG Punjab, who appears on advance notice, on inquiring from the concerned investigating officer, informs that earlier in past time no case was ever found registered against those two co-accused, who were apprehended alongwith contraband, while they were riding the scooter belonging to the petitioner. Thus, learned Sr. DAG, argues that prima facie it appears that it is the petitioner only, who may be the actual and main accused, and also that he was utilizing the services of the co-accused who are working under him, through whom petitioner wanted to deliver the contraband to somebody else. Therefore, to get the truth revealed out, custodial interrogation of the petitioner would be very much required.

5. In view of the contentions having been recorded of the respective counsel, prima facie it appears that custodial interrogation of the petitioner is very much required to find out the truth as to how his scooter (Honda Activa) was being used by the co-accused who were working under him and were arrested alongwith the Heroin.

6. Dismissed.

( SANJAY VASHISTH )  
JUDGE

July 31, 2025  
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| <i>Whether speaking/reasoned</i> | <i>Yes</i> |
| <i>Whether reportable</i>        | <i>No</i>  |