

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

**CRM-M-33871-2025 (O&M)  
Date of Decision: 11.09.2025**

Jaspal ....Petitioner  
Versus  
State of Haryana ....Respondent

**CORAM: HON'BLE MR. JUSTICE SUKHVINDER KAUR**

Present: Mr. Namit Khurana, Advocate, for the petitioner.  
Mr. P.K. Garg, DAG, Haryana.  
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**SUKHVINDER KAUR, J. (Oral)**

Prayer in the present petition, filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, is for grant of anticipatory bail to the petitioner in FIR No.139 dated 09.05.2025, under Sections 22(c), 29-61-85 of NDPS Act and Section 238 of BNS, registered at Police Station Bilaspur, District Yamuna Nagar.

The prosecution version, in brief, is that on 08.05.2025, SI Sanjay Kumar along with other police officials was present at bus stop, Village Behta in connection with the search of narcotics. They received a secret information that one Rajpal Singh, Jaspal and Amit Kumar were indulging in the sale of intoxicant capsules and could be apprehended. Acting upon the said information, a nakabandi was laid near Government School, Village Rampur. During checking, one car was noticed coming from the opposite direction. On seeing the police party, one boy sitting on the rear seat of the car managed to flee, while the remaining two occupants were apprehended, who disclosed their names as Jaspal and Amit Kumar.

The person who had absconded was later identified as Rajpal Singh. On conducting a search of the vehicle in the presence of the Drug Controller, a polythene bag containing 1150 capsules was recovered from the dashboard of the car. The accused Jaspal was produced before the learned Magistrate and released pending FSL report. Subsequently, accused Amit was also joined in the investigation, and on the basis of his confessional statement, one Rajender Kumar was arrested. Later, Section 238 of BNS was added in the case. That accused Rajpal was arrested on 12.06.2025 and joined in investigation.

Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case. Nothing incriminating had been recovered from him. He was produced before the learned Illaqa Magistrate and thereafter released pending receipt of Chemical Examination Report. In fact the petitioner was not present at the place of alleged occurrence and his presence in the alleged car is highly improbable and his custodial interrogation is not required for any purpose and therefore, he be granted concession of anticipatory bail.

Status Report dated 04.08.2025, filed on behalf of respondent-State, has already been placed on record.

Learned State counsel has opposed the present bail petition while contending that the petitioner was caught at the spot with a polythene bag of capsules. However, he was released with direction to appear before the learned Court for inventory of recovered capsules. Even thereafter, he was released after making of inventory with direction to appear as and when required but he failed to do so.

The petitioner was named in the secret information and along with other co-accused, he was apprehended at the spot. Earlier he was granted bail pending FSL report. As per the status report, FSL report was received on 31.05.2025 and on receipt of said report, the petitioner was called by the police who did not turn up. Co-accused Amit was arrested in this case on 31.05.2025 and in pursuance of disclosure statement of said co-accused, another co-accused Rajinder was arrested in this case being supplier, on 01.06.2025. He also disclosed the name of the petitioner in his disclosure statement. The call detail records were also obtained during investigation, which revealed that the petitioner had talked from his mobile No.80067-66008 to the mobile No.73006-78941 of co-accused Rajinder Kumar from 15.03.2025 to 30.05.2025 for 75 times and has also talked from his another mobile No.95885-33342 on the aforesaid mobile of co-accused Rajinder Kumar for 41 times. A copy of Call Detail Records of relevant mobile phone No.73006-78941 of co-accused Rajinder Kumar has been appended as Annexure R-4 along with Status Report. It was also revealed that petitioner had transferred an amount of Rs.44,000/- in the Bank account of co-accused Rajinder Kumar for purchasing narcotic capsules. The bank transaction of co-accused Rajinder Kumar had also been annexed with the Status Report as Annexure R-5. Moreover, as per the FSL report received, recovery effected in this case falls within the 'commercial quantity'.

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. His custodial interrogation is required to ascertain the origin of contraband and

for taking the investigation to its logical end. Denial of custodial interrogation of the petitioner will adversely effect the investigation in the present case. Accordingly, the present petition stands dismissed.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

Pending miscellaneous application(s), if any, also stand(s) disposed of.

**11.09.2025**  
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**(SUKHVINDER KAUR)**  
**JUDGE**

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