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

CRM-M-5507-2025

Date of decision:-05.05.2025

DINESH CHANDER**... Petitioner****Versus****STATE OF HARYANA****... Respondent****CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.**

Present:- Ms. Divya Narula, Advocate, for the petitioner
(through Video Conferencing)

Mr. Vipul Sherwal, AAG, Haryana.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
94	16.03.2024	15C, 17B, 29 of the NDPS Act	Ellenabad District Sirsa

2. Arguments heard.

3. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. She contends that the petitioner was not named in the FIR but has been nominated on the disclosure statement of co-accused Trilok Singh @ Toti and Sajjan Singh @ Raman from whom 60 kgs of Doda Post and 1kg 800 grams of opium was recovered. He contends that the petitioner has no



concern with the alleged recovery as well as the co-accused. Hence prayed for grant of anticipatory bail to the petitioner.

4. Per contra, learned State counsel referring to the status report submitted by the State has opposed the bail petition on the ground that name of the petitioner has surfaced in the disclosure statements (Annexure R-2 and R-3) of the co-accused Sajjan Singh @ Raman and Trilok Singh @ Toti respectively, and from their possession recovery of 60 kgs of Doda Post and 1kg 800 grams of opium was effected. He contends that the petitioner was specifically named as the supplier of the contraband and as per the account statement of co-accused Harpreet Singh (Annexure R-5) ₹50,000/- were transferred into the account of the petitioner for purchase of contraband and there are many conversations between the petitioner and co-accused Harpreet Singh on phone. He contends that the alleged recovery of contraband falls within the purview of commercial quantity and attract Section 37 of the NDPS Act and more so, to unearth the *modus operandi* as well as the source of supply chain, custodial interrogation of the petitioner is required, hence prayed for dismissal of the bail petition.

5. After considering the rival contentions and perusing the record, it transpires that on 16.03.2024 during patrolling a car was spotted and on the basis of suspicion it was signalled to stop, in which two persons namely Trilok Singh alias Toti driving the car and on the other seat a girl namely Sajjan Singh alias Raman were found. On search of car, 4 black colored plastic bags were recovered kept in the dickey and on opening, 60 kg of poppy husk and in one bag 1kg and 800 gram of opium was found. Both the aforesaid co-accused were apprehended and during course of investigation,



they had recorded their disclosure statements (Annexure R-2 and R-3) naming the present petitioner as supplier of the contraband and also named Sukha Singh, Harpreet Singh as dealer. It is evident from the reply submitted by the State that petitioner had played specific role in supplying the recovered contraband and telephonic conversations have been found between the petitioner and co-accused Harpreet Singh and Sukhwinder Singh @ Sukha. It is also evident from the bank statement of co-accused Harpreet Singh (Annexure R-5) that there had been money transaction between the petitioner and co-accused Harpreet Singh.

Admittedly, the recovered contraband fall within the purview of commercial quantity and attracts Section 37 of the NDPS Act, and considering the nature and gravity of offence and also to unearth the supply chain of the contraband custodial interrogation of petitioner is required. Therefore, no case is made out in favour of the petitioner for grant of concession of anticipatory bail, as a consequent, the petition is hereby dismissed.

6. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

05.05.2025

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i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No