



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

104

CRM-M-54512-2025

Date of decision: 25th September, 2025

Sahil

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Amandeep Singh Punia, Advocate for the petitioner.

Mr. Apoorv Garg, Additional Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 306 dated 05.09.2025 registered under Sections 21(b) of Narcotic Drugs and Psychotropic Substance Act, 1985 (for short 'NDPS') at Police Station City Mandi Dabwali, District Sirsa.

2. As per the allegations, on 05.09.2025, on receipt of a secret information, the accused Ved Parkash was apprehended and 7.23 grams of heroin was recovered from his conscious possession. He was formally arrested. On interrogation, he suffered disclosure statement to the effect that the petitioner was the supplier of the contraband, on the basis of the same, he was nominated as an accused. Apprehending his arrest, the petitioner moved an application for grant of pre-arrest bail before the learned Additional



Sessions Judge, Sirsa which was dismissed vide order dated 17.09.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of the co-accused which cannot be considered to be admissible in evidence. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, therefore, urged that he deserves to be released on bail.

4. Notice of motion.

5. Learned State counsel accepts notice on behalf of the respondent-State and is ready to argue the matter. It is argued by him that the petitioner is a habitual offender since three more cases under the provisions of NDPS Act have been registered against him. His custodial interrogation is required for the purpose for eliciting the information about the source of the contraband which had been supplied by him to the co-accused. No extraordinary or sparing circumstance has even otherwise been made out for the purpose of extending benefit of bail to the petitioner. Therefore, it is urged that the petition does not deserve to be allowed.

6. This Court has heard learned counsel for the parties at considerable length.

7. The petitioner is alleged to have supplied non-commercial quantity of the contraband to the co-accused. He is alleged to have been involved in three cases under the provisions of NDPS Act. For the purpose of conducting thorough and proper investigation in the matter, and knowing about the source of the contraband, his custodial interrogation is required. In case, his custodial interrogation is denied to the Investigating Agency, that



will leave many glaring loopholes and gaps thereby adversely affecting the investigation. The powers under Section 482 of BNSS are to be exercised in extraordinary and sparing circumstances. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

25th September, 2025

Parveen Sharma

1. *Whether speaking/ reasoned* : *Yes / No*

2. *Whether reportable* : *Yes / No*