



**In the High Court for the States of Punjab and Haryana
at Chandigarh**

102

CRM-M-52718-2025 (O&M)
Date of Decision:- 24.09.2025

Labh Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Tejas Bansal, Advocate,
for the petitioner.

SUBHAS MEHLA, J. (Oral)

1. The instant petition under Section 482 of BNSS, 2023, has been filed for grant of anticipatory bail to the petitioner in case FIR No.192 dated 18.08.2025, registered under Sections 21(b), 65 and 81 of NDPS Act, at Police Station Kalanwali, District Sirsa.
2. Learned counsel for the petitioner contended that the petitioner is involved in this case only on the basis of disclosure statement made by co-accused, namely, Jagmohan Singh @ Harman Singh; except the disclosure statement, no material is available with the prosecution to prove the commission of offence; disclosure statement is inadmissible in the evidence and learned counsel prayed for anticipatory bail as the petitioner is ready to join the investigation.
3. Notice of motion.



CRM-M-52718-2025 (O&M)

(2)

4. Mr. Karan Veer Singh, Senior DAG, Haryana, who is present in the Court accepts notice on behalf of respondent-State and submits that the petitioner is the supplier of the contraband, which was recovered from the possession of co-accused, namely Jagmohan Singh @ Harman; the quantity of recovered contraband is 14.69 grams of 'heroin', which falls under the category of intermediate quantity; petitioner is required for recovery of drug money as well as the source of contraband and prayed for dismissal of the present petition.

5. Heard.

6. Keeping in view the allegations levelled against the petitioner and the fact that co-accused Jagmohan Singh @ Harman named him as supplier of the contraband; custodial interrogation of the petitioner is required for recovery of drug money and to identify source of contraband; anticipatory bail cannot be granted to the petitioner as custodial interrogating is required, it is held by the Hon'ble Supreme Court in case titled as '**CBI Vs. Anil Sharma, 1997 AIR Supreme Court 3806**' decided on 03.08.1997, wherein it has been held as under:-

“....custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconded with a favorable order under Section 438 if the code. In a case like this effective interrogation of suspected person is of tremendous advantage in disintering many useful informations and also materials which would have been concealed. Succession such interrogation would elude if the suspected person knows that he is well protected and insulted by a pre-arrest bail during the time he interrogated. Very often interrogation in such a condition would reduce to a mere ritual.



CRM-M-52718-2025 (O&M)

(3)

The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The court has to presume that responsible Police Officers would conduct themselves in task of disinterring offences would not conduct themselves as offenders.”

7. Honble Apex Court in Anarul S.K. Vs. The State of West Bengal (SLP (Crl.) No.12621-2024 has observed that the grant of anticipatory bail in cases involving Narcotic Drugs and Psychotropic Substances (NDPS) is a very serious issue.

8. In view of the above, this Court finds no ground to grant anticipatory bail to the petitioner and the present petition stands dismissed.

9. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

24.09.2025

Geeta

**(SUBHAS MEHLA)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No