

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

Cr. MP (M) No.1827 of 2027

Date of Decision: 17.08.2026

Ravinder Singh

...Petitioner

Versus

State of Himachal Pradesh & Anr.

...Respondent

Coram:

The Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting?¹

For the Petitioner:

Ms, Manju Singh, Advocate
(through video conferencing) and
Mr. Subhash Chander, Advocate.

For the Respondent:

Mr. Rajan Kahol & Mr. Vishal
Panwar, Additional Advocate
Generals with Mr. Ravi Chauhan &
Mr. Anish Banshtu, Deputy
Advocates General.
-----Sandeep Sharma, J. (Oral)

By way of instant petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, prayer has been made on behalf of the petitioner for grant of anticipatory bail in case FIR No. 34 of 2026, dated 22.03.2026, registered at Police Station, Nagrota Bagwan, District Kangra, H.P., under Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act ***(hereinafter referred to as the Act')***.

2. Pursuant to order dated 16.09.2026, respondent-State has filed status report and ASI Pawan Kumar has come present

¹ Whether reporters of the local papers may be allowed to see the judgment?

with the record. Record perused and returned. Though, vide aforesaid order, this Court had called upon learned counsel for the petitioner to cause presence of the petitioner, but he has not come present.

3. Close scrutiny of the record/status report reveals that on 22.03.2026, at about 7:20 PM, police party noticed two persons standing near tea shop. Since one of the person after having seen the police got perplexed and threw something in nearby bushes, police deemed it necessary to apprehend them and conduct their personal search. Allegedly, after having associated independent witnesses, police recovered one envelope from the bushes, which was thrown by one of the accused and recovered 18 grams of Chitta. Since no plausible explanation ever came to be rendered on record qua recovery of aforesaid quantity of contraband, police after having completed necessary codal formalities, lodged the FIR against persons, namely Rahul and Shubham, who now stand enlarged on bail pursuant to orders passed by learned trial Court. Allegedly, during the proceedings of the investigation, above named Rahul and Shubham disclosed to the police that contraband recovered from their possession was supplied to them by present bail petitioner, police attempted to contact present petitioner, but since he switched off his mobile phone and absconded, police was unable to arrest him. However, in the month of July, 2026, bail petitioner approached trial Court by way

of bail application, which came to be dismissed vide order dated 24.07.2026 by learned Special Judge-II, Kangra at Dharamshala. After 1 ½ months of dismissal of his bail petition by trial Court, petitioner approached this Court seeking therein anticipatory bail on the ground that he has been falsely implicated. During the proceedings of the case, it came to be transpired that trial has commenced, but despite there being notice, petitioner failed to come present before trial Court where now matter is fixed for consideration on charge

4. Ms. Manju and Mr. Subhash Sharma, learned counsel representing the petitioner, vehemently argued that petitioner has been falsely implicated. They state that since no contraband ever came to be recovered from the conscious possession of the present petitioner, coupled with the fact that petitioner herein came to be named in the FIR on the basis of disclosure statement made by co-accused, prayer made on behalf of the petitioner for grant of anticipatory bail deserves to be allowed.

5. To the contrary, learned Additional Advocate General, while fairly admitting factum with regard to filing of challan in the competent court of law, states that though nothing remains to be recovered from the bail petitioner, but keeping in the gravity of offence alleged to have been committed by him, he does not deserve any leniency. Learned Additional Advocate General states that there is overwhelming evidence adduced on record suggestive

of the fact that bail petitioner is a drug peddler, who in the event of his being enlarged on bail, may not only flee from justice, but may again indulge in these activities. He states that record with regard to financial transactions adduced on record clearly suggests that co-accused Shubham transferred money in the bank account of the bail petitioner, who in lieu thereof, supplied them contraband. He states that since it has also come in the evidence that bail petitioner had been supplying drugs/ contraband to young persons in State and as such, his custodial interrogation is essential to unearth the broader network of drug peddlers.

6. Having heard learned counsel for the parties and perused material available on record, this Court finds that nothing remains to be recovered from the bail petitioner, rather intermediate quantity of contraband was recovered from the conscious possession of co-accused Rahul and Shubham, who allegedly disclosed to the police that contraband recovered from their possession was supplied to them by present bail petitioner.

7. True it is that disclosure statement, if any, made by co-accused is not sufficient to conclude the guilt, if any, of the present bail petitioner, but having taken note of the fact that bail petitioner is absconding since March, 2026 and despite there being repeated notices, he has failed to join the investigation, coupled with the fact that an undertaking was given to this Court on 16.09.2026 that petitioner shall remain present on 17.09.2026, but

he has failed to come present, this Court sees no reason to consider the prayer made on behalf of the petitioner for grant of anticipatory bail.

8. Having noticed conduct of the petitioner, who does not appear to have any respect for the law as well as orders passed by this Court, coupled with the fact that he is accused of heinous crime having adverse impact in the society, this Court, is not inclined to grant anticipatory bail. Moreover, this Court finds that petitioner despite there being no order in his favour passed by competent Court of law has been delaying the investigation. In trial, matter is listed for consideration on charge and petitioner, who otherwise stands served, has chosen not to come present. There is another aspect of the matter that prior to filing of the petition at hand similar petition was filed before this Court bearing Cr.MP(M) No.1535 of 2026 and same was withdrawn on 13.08.2026 but even thereafter petitioner failed to join the investigation.

9. Consequently, in view of the above, this Court finds no merit in the present petition and accordingly, same is dismissed.

(Sandeep Sharma)
Judge

September 17, 2026
(shankar)