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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3304-2025 (O&M)
Date of decision : 30.01.2025

Karan Singh @ Karni

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Munish Kamboj, Advocate,
for the petitioner.

Mr. Ashok S. Chaudhary, Addl.A.G., Haryana.

MAHABIR SINGH SINDHU, J.

Petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short, 'the BNSS'*), has been filed for grant of pre-arrest bail to the petitioner in FIR No.332 dated 29.07.2024, registered under Section 18 (Section 29 added subsequently) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short, 'the NDPS Act'*), registered at Police Station Sadar Fatehabad, District Fatehabad, Haryana

2. Allegations are that 01 Kg. 40 grams of Opium was recovered from co-accused Dharam Singh @ Dharama and petitioner was nominated as an accused in the present case on the basis of disclosure made by aforesaid co-accused.

3. Status report filed by way of affidavit dated 28.01.2025 of Mr. Jagdish Kumar, HPS, Deputy Superintendent of Police, Fatehabad,

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on behalf of the respondent-State is taken on record. Copy thereof supplied to the other side.

Registry to do the needful.

4. Contends that petitioner is not named in the FIR; rather nominated on the basis of disclosure made by main accused, namely, Dharam Singh @ Dharama, from whom, 01 kg. 40 grams of Opium (non-commercial) is alleged to have been recovered. Further contends that petitioner is ready to join the investigation, but he be protected.

5. *Per contra*, learned State counsel, while opposing the petition, on instructions, submits that credentials of the petitioner are very sketchy in view of the fact that he is facing 05 cases under the NDPS Act. Also submits that petitioner is a habitual offender; thus, his custodial interrogation would be necessary to know the source of alleged contraband.

6. Heard learned counsel for the parties and perused the paper-book.

7. It transpires from affidavit that petitioner is involved in 05 other cases under the NDPS Act, apart from other criminal cases and for reference, details of the cases pending under the NDPS Act are recapitulated as under:-

- a) *FIR No.100 dated 11.05.2018, under Section 15 NDPS Act, Police Station Ellenabad (Sirsa).*
- b) *FIR No.347 dated 24.10.2020, under Section 15 NDPS Act, Police Station Ellenabad (Sirsa).*
- c) *FIR No.339 dated 13.12.2018, under Sections 279, 336 & 427 IPC and Section 15 NDPS Act, Police Station Ellenabad (Sirsa).*

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- d) *FIR No.350 dated 17.09.2021 under Section 15 NDPS Act, Police Station Ellenabad (Sirsa).*
- e) *FIR No.682 dated 10.12.2021 under Section 15 NDPS Act, Police Station City Sirsa.*

8. Although, the alleged contraband recovered from the main accused is non-commercial in nature, but in view of the fact that petitioner is facing 05 more cases under the NDPS Act; his custodial interrogation would be very much necessary to know the source of alleged contraband.

9. Still further, this Court will take judicial notice of the fact that cases under the NDPS Act are increasing day-by-day in the State of Haryana; thus, in order to curb the menace of drugs, it would be appropriate if petitioner is interrogated by the Police in accordance with law.

10. In view of the above, there is no option, except to dismiss the petition.

11. Ordered accordingly.

12. Above observations be not construed as an expression of opinion on merits of the case, in any manner.

Pending application(s), if any, shall also stand disposed off.

30.01.2025

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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :
Whether Reportable :

Yes	No
Yes	No