

2025.PHHC.022235



101.

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

CRM-M-8613-2025

Date of decision: 15.02.2025

Bhoora

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vicky Sharma, Advocate, for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in this petition filed under Section 482 of BNSS is for grant of anticipatory bail to the petitioner in case FIR No.19, dated 16.01.2025, under Sections 21, 25 of NDPS Act, 1985, registered at Police Station Madhuban, District Karnal.

Learned counsel for the petitioner asserts that the petitioner has been falsely implicated in the present case which is evident from the fact that although co-accused Pankaj and Prince were intercepted by the police following a secret information, however, no such secret information was received qua the petitioner; the petitioner was not even alleged to be present with the co-accused Pankaj and Prince from whom a recovery of heroin (about 4.40 grams of heroin from Prince and 4.64 grams of heroin from Pankaj), was made. It has been argued by the learned counsel that the

Disclosure statement on the basis of which the petitioner has been implicated in the present case has poor evidentiary value and hence, the petitioner deserves to be extended the concession of anticipatory bail.

Notice of motion.

On asking of the Court, Mr. Gagandeep Singh Chhina, AAG, Haryana, accepts notice on behalf of respondent-State. Learned State counsel has vehemently opposed the prayer and submissions made by the counsel opposite by contending that this is not the first time that the petitioner has been booked in a case under the NDPS Act; it is a matter of record that the petitioner is facing trial in 06 criminal cases, out of which, 03 cases are under the NDPS Act. Learned State counsel, on instructions from SI Ajay Kumar, submits that the petitioner is a habitual offender and the recovered contraband had been supplied by none other than the petitioner. Learned State counsel, therefore, prays for dismissal of the present petition as the custodial interrogation of the petitioner would be necessitated, more so when the instant FIR has been registered against him while he was on bail in other cases registered under the NDPS Act.

I have heard learned counsel for the parties and perused the material on record.

Prima facie, the petitioner indeed comes across as a habitual offender; although not named in the secret information received by the police, however, in view of the role attributed to him, this Court concurs with the submissions made by learned State counsel that the petitioner's

custodial interrogation would be required to uncover the entire drug syndicate.

Accordingly, present petition stands dismissed.

However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

February 15, 2025
sanjeev

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No