

**CRM-M-21292-2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.****Sr. No.201****Case No. : CRM-M-21292-2025****Decided On : July 18, 2025**

Harbhajan Singh @ Singha Petitioner
vs.
State of Punjab Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

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Present : Mr. Karanjeet Singh Brar, Advocate
for the petitioner.

Mr. P. S. Pandher, AAG, Punjab.

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SUKHVINDER KAUR, J. :

Prayer in the present petition, filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, is for grant of anticipatory bail to the petitioner in FIR No.0022 dated 29.01.2025, under Sections 21(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as – NDPS Act) (Section 29 of NDPS Act added later on), registered at Police Station Sadar Fazilka, District Fazilka.

The prosecution version, as enunciated in the FIR in question, is that two persons namely Surjit Singh and Gurcharan Singh were apprehended by the police during routine patrolling and 300 grams of heroin was recovered from their possession. After completing the formalities, FIR was registered against both of them. During investigation, name of the petitioner also cropped up on the basis of disclosure statement made by aforesaid Surjit Singh. Hence, the petitioner has approached this Court for



grant of anticipatory bail.

Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case, only on the basis of disclosure statement of the co-accused, which is not admissible in law and except the said disclosure statement, there is no material on record to connect the petitioner with the offence in the present case. He further contended that no recovery was effected from the petitioner and the alleged recovery was effected from the co-accused namely Surjit Singh. He has further urged that custodial interrogation of the petitioner is not required for any purpose and therefore, he be granted concession of anticipatory bail.

Status Report on behalf of the respondent-State has already been placed on record.

Learned State counsel has opposed the present bail petition while contending that the petitioner is the alleged supplier of the contraband, which had been recovered from co-accused Surjit Singh. Therefore, his custodial interrogation is required to know the source of contraband. Moreover, the petitioner is also involved in another case i.e. FIR No.145/2022, under Section 15, 61, 85 of the NDPS Act, registered at Police Station Bhaflodi, Rajasthan. He has therefore prayed that the present petition be dismissed.

In the present case, name of the petitioner surfaced on the basis of disclosure statement of co-accused Surjit Singh, from whom 300 grams of heroin was allegedly recovered, which falls within the ambit of commercial quantity. As per the Status Report, placed on record by learned State counsel, besides the present case, the petitioner is also involved in



another FIR, which had also been registered under the NDPS Act. During investigation in the present case, it has been alleged that the contraband had been supplied by the petitioner to the co-accused. Thus, as per the allegations, the petitioner has been instrumental in regulating the supply and sale of contraband, though he was not present at the spot and not named in the FIR.

Keeping in view the peculiar circumstances regarding involvement of the petitioner in drug trafficking and also for the reason that he is involved in another case of similar nature, no ground for granting anticipatory bail to the petitioner is made out. Accordingly, the present petition stands dismissed.

July 18, 2025
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(SUKHVINDER KAUR)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No.