



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

CRM-M-35764-2025

Date of decision: 17th July, 2025

Ajay Kumar @ Chintu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Manpreet S. Sidhu, Advocate for the petitioner.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of BNSS in case FIR No.91 dated 19.05.2025 under Sections 21, 27, 27A, 25 & 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 111(2) of Bharatiya Nyaya Sanhita, 2023 registered at Police Station City-2, Khanna, District Ludhiana.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the instant case. It has been contended that the name of the petitioner does not find mentioned in the FIR (Annexure P-1) and that his implication is solely on the basis of the disclosure statement purportedly made by co-accused, Arvinder Singh, who claimed that the recovered contraband (130 grams of heroin) had been procured through the petitioner. Learned counsel has submitted that there is no material on record other than this disclosure statement to

connect the petitioner with the alleged offence, hence, he deserves to be enlarged on anticipatory bail.

3. Notice of motion.

4. Mr. H.S. Deol, Sr. Deputy Advocate General, Punjab who is present in Court, accepts notice on behalf of the State.

5. Learned State counsel has vehemently opposed the prayer and submissions made by the counsel opposite and submitted that the petitioner is not a mere bystander, but is specifically alleged to be the seller of the recovered contraband. It has been further submitted that the petitioner is already facing prosecution in another FIR registered under the NDPS Act, thus clearly indicating that the petitioner is a habitual offender, for which he does not deserve the concession of bail. Learned State counsel has further submitted that since the petitioner is the seller of the recovered contraband, his custodial interrogation would be necessitated to unravel the entire source of the narcotic substances recovered from co-accused Arvinder Singh.

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

7. The allegations against the petitioner are of a grave and serious nature. The recovery of 130 grams of heroin from the co-accused, coupled with the allegation that the petitioner is the supplier of the contraband, prima facie discloses the active involvement of the petitioner in drug trafficking. That apart, the petitioner is admittedly involved in yet another case under the NDPS Act, which lends credence

to the claim of the State that he is a habitual offender operating within the drug trade. Therefore, the role attributed to the petitioner cannot be brushed aside lightly nor can it be held that his custodial interrogation would not be warranted.

8. As a sequel to the above, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner in the instant case. The 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

July 17, 2025
rps

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