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

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CRM-M-42286-2025 (O&M)

Date of decision: 02.09.2025

Karandeep Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Aditya Sanghi, Advocate,
Mr. Kartik Mittal, Advocate,
Mr. Himanshu Garg, Advocate and
Mr. Pranav Arora, Advocate
for the petitioner.

Ms. Himani Arora, DAG, Haryana.

MANISHA BATRA, J. (Oral)

1. Through the instant petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner seeks grant of anticipatory bail in case arising out of FIR No. 307 dated 18.06.2025, registered under Section 21(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) Police Station City Sirsa, District Sirsa.

2. Brief facts of the case are that on 18.06.2025, co-accused Sandeep Singh @ Nikka @ Fauji, Lovely and Gurpreet Kaur, while coming on a motorcycle, were apprehended by a police party and recovery of 23.74 grams of heroin was effected from them. Upon interrogation, they disclosed that the recovered contraband was purchased by them from one Rahul Dhingra and the petitioner was also involved with them in commission of crime. On the basis of the same, the petitioner has been nominated in this case as an accused. Apprehending his arrest, the petitioner had moved an application for grant of

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anticipatory bail before the Court of learned Additional Sessions Judge, Sirsa but the same had been dismissed, vide order dated 01.08.2025.

3. Learned counsel for the petitioner has argued that he has been falsely implicated in this case. He has been nominated in this case on the basis of the disclosure statement suffered by the aforesaid co-accused, which is not admissible in evidence. Although he has falsely been implicated in some other cases but he is on bail in those cases. More so, the quantity of the contraband allegedly recovered from the co-accused does not fall under commercial quantity. The petitioner is ready to join the investigation. No recovery is to be effected from him. No useful purpose would be served by detaining him into custody. It is, therefore, urged that the petition deserves to be allowed.

4. Status report has been filed by the respondent-State. Learned Deputy Advocate General, Haryana has argued that keeping in view the gravity of the allegations levelled against the petitioner as well as his criminal antecedents, he is not entitled to get benefit of bail. His custodial interrogation is required for proper investigation in the matter. Hence, it is urged that the petition is liable to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

6. The petitioner has been nominated in this case on the basis of the disclosure statements suffered by above named co-accused. The allegations against him are that he was also involved with them in commission of subject offence. A perusal of the record reveals that the petitioner is already involved in four other cases under the NDPS Act. The allegations against him are quite

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serious. No sparing or extraordinary circumstance has been made out in his favour for grant of pre-arrest bail. Rather, his custodial interrogation is required for conducting proper investigation in the matter and also for effecting further recovery of the contraband, if any. The well settled proposition of law is that while considering an application for grant of anticipatory bail, the Court has to consider the nature of the offence, the role of the person, the likelihood of his influencing the course of investigation or tampering with evidence including intimidating witnesses. The powers under Section 482 of BNSS are to be exercised in extraordinary and sparing circumstances. More so, custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order under Section 482 of BNSS. Many useful information can be disinterred during custodial interrogation. Keeping in view the discussion as made above, I am of the considered opinion that no extraordinary or sparing circumstance entitling the petitioner to seek concession of pre-arrest bail has been made out. Accordingly, finding no merit, the petition is dismissed.

7. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

02.09.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No